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17

THE FIRST MEETING OF THE ELECTIONS COMMISSION of the CITY AND COUNTY OF SAN FRANCISCO

24/02
2

Will be held on
Thursday, January 24, 2002
At 7 p.m.

Room 408
City Hall,
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94103-4689

01-18-02P04:21 RCVD
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1. Call to order and Pledge of Allegiance
2. Roll call, brief comments and swearing in of Commission Members Dennis Herrera, City Attorney
3. Introductory Statements by Commissioners Robert Kenealey, Alix Rosenthal, Thomas Schulz, David Serrano-Sewell, Richard Shadoian, Brenda Stowers, #7 (DISCUSSION ONLY)
4. Briefing to Commission by counsel on the Elections Commission's mandated responsibilities and tasks. (DISCUSSION ONLY)
5. Election of Chair and Vice Chair for calendar year 2002 (ACTION ITEM)
6. Discussion and possible action to establish subcommittees and working groups e.g. Personnel for the process of selecting the Department of Elections Director, commission secretary and other personnel issues, Policy for establishing the Commissions and department policies: ad hoc working group for developing Commission Bylaws, a Mission Statement and for organizing the Commission.
7. Discussion and possible action to appoint three members to the Redistricting Taskforce. (Action Item)

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8. Discussion and possible action to hold a joint meeting with the Ethics Commission to discuss that Commission's organizational experiences and explore public hearings and investigations. (ACTION ITEM)

9. Discuss and possible action to request the Sheriff to meet with the Commission at their next meeting to discuss security preparations for the March elections and working relationship with the Elections Department.

10. Discussion with Director of Elections Department about the operations of the Department, preparations for the March elections, registration, budget, media consultants and relations, committees, canvassing boards, working groups and status of written public plan. (Discussion Only)

11. Discussion and possible action to request from the Director of Department of Elections a written report (due no later than February 1, 2002) of the current status of the Department's preparation for the March 5, 2002, election. Included in this report shall be:

- 1) security preparations for the ballots including the arrangement with the Sheriff's Department,
- 2) Availability of working space before, during and after the election,
- 3) canvassing procedures,
- 4) ballot preparation
- 5) recruiting and training of poll workers, field election directors and election staff, 6) canvassing board appointments,
- 7) budget update,
- 8) public notification and
- 9) copy of public plan for election as required by Prop E (ACTION ITEM)

12. Discussion and possible action to request the Civil Service Commission and Human Resources Department to provide a briefing at our next meeting about the process and policies for hiring an Elections Department director and Commission support staff. (Action Item)

13. Discussion and possible action to establish our next meeting date and future dates. (Action Item)

14. Public Comment

Note: the Commission will hear public comment on each item on the agenda before or during consideration of that item. at this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that does not appear on the agenda.

15. Commissioners' Matters This item is designed to allow Commissioners to raise issues they believe the Commission should address at future meetings. There will be no discussion of these items at this time.

16. ADJOURNMENT

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL,
MONDAY THROUGH FRIDAY, CITY HALL, ROOM 244

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Administrator, Sunshine Ordinance Task Force,
1 Dr. Carlton B. Goodlett Place,
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The Elections Commission

January 24, 2002

Department of Elections
Elections Commission



Minutes 1/25/02

Minutes of the Meeting of the

Elections Commission

of the City and County of San Francisco

January 24, 2002, 7:00 p.m.

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1. Call to order and Pledge of Allegiance

2. Roll call, brief comments and swearing in of Commission Members by Dennis Herrera, City Attorney.

Mr. Robert Kenealey called the meeting to order at 7:10 p.m. City Attorney Dennis Herrera then administered the oath of office to the new Commissioners, Robert Kenealey, Alix Rosenthal, Thomas Schulz, David Serrano-Sewell, Richard Shadoian, Brenda Stowers, and Michael Mendelson. All joined in the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT: Robert Kenealey, Commissioner, Alix Rosenthal, Commissioner, Thomas Schulz, Commissioner, David Serrano-Sewell, Commissioner, Richard Shadoian, Commissioner, Brenda Stowers, Commissioner, and Michael Mendelson, Commissioner.

STAFF PRESENT: Tammy Haygood, Director; Jeremy Eckstein, Executive Assistant.

CITY ATTORNEY: Dennis Herrera, City Attorney; Julie Moll, Deputy City Attorney

ETHICS COMMISSION: Joe Lynn, Campaign Finance Officer/Office Manager

PUBLIC: The following individuals made comment during the course of the meeting:

Dave Bisho, Helynna Brooke, Alfie Charles, James Bryant, Shelley Bell, Frank Imer, Jeff Mori, Walter Johnson, Vinchen Chao, Jane Short, Paul Durel, Bill Barnes, John Trasiva, Millard Larkin II, Malik Looper, Bill Lee, Chris Bowman, Ann Short, Hoover Lee, and Doug Comstock.

MATERIALS DISTRIBUTED:

Agenda for January 24, 2002, Meeting

3. Introductory Statements by Commissioners

The Commissioners introduced themselves with brief comments.

4. Briefing to Commission by counsel on the Elections Commission's mandated responsibilities and tasks.

Julie Moll, Deputy City Attorney, briefed the Commission on its responsibilities and tasks.

5. Election of Chair and Vice Chair for calendar year 2002.

Commissioner David Serrano-Sewell nominated Commissioner Thomas Schulz to be the Chair of the Commission.

Motion 02-01-24-1 (Serrano Sewell/Kenealeay): Moved, seconded, and unanimously passed: that Commissioner Schulz is elected Chair of the Commission.

Commissioner Alix Rosenthal nominated Commissioner Richard Shadoian to be the Vice-Chair of the Commission.

Motion 02-01-24-2 (Rosenthal/Mendelson): Moved, seconded, and unanimously passed: that Commissioner Shadoian is elected Vice-Chair of the Commission.

6. Discussion and possible action to establish subcommittees and working groups, e.g., Personnel for the process of selecting the Department of Elections Director, commission secretary and other personnel issues, Policy for establishing the Commissions and department policies: ad hoc working group for developing Commission Bylaws, a Mission Statement and for organizing the Commission.

With the consent of the Commission, the Chair appointed himself and the Vice-Chair to head the Organizing Committee.

Motion 02-01-24-3 (Rosenthal/Mendelson): Moved, seconded, and unanimously passed: that the Commission form a Personnel Committee and a Budget and Policy Committee.

The Chair appointed Commissioners Mendelson, Serrano-Sewell, and Shadoian to serve on the Personnel Committee, with Commissioner Mendelson to serve as the Committee Chair.

The Chair appointed Commissioners Rosenthal, Kenealeay and Stowers to serve on the Policy Committee, with Commissioner Rosenthal to serve as the Committee Chair.

Motion 02-01-24-4 (Stowers/Kenealeay): Moved, seconded, and unanimously passed: that the Chair's appointments are approved by the Commission.

7. Discussion and possible action to appoint three members to the Redistricting Taskforce.

Motion 02-01-24-5 (Rosenthal/Kenealeay): Moved, seconded, and passed: that the Commission will appoint three members of the Redistricting Task Force at a meeting to be held at 4:00 p.m. on Friday, February 1, 2002.

Motion 02-01-24-6 (Rosenthal/Kenealeay): Moved, seconded, and unanimously passed: that the Commission open the applications process for Task Force appointment immediately and that, commencing January 25, 2002, until the close of business on Wednesday, January 30, 2002, statements of interest may be submitted by applicants to the Department of Elections with no format specified for the

applications.

Motion 02-01-24-7 (Shadoian/Kenealey): Moved, seconded, and unanimously passed: that any Task Force applications previously submitted to the Board of Supervisors, Mayor or Department of Elections will be considered by the Commission.

8. Discussion and possible action to hold a joint meeting with the Executive Director of the Ethics Commission to discuss that Commission's organizational experiences and explore public hearings and investigations.

Motion 02-01-24-8 (Mendelson/Stowers): Moved, seconded, and unanimously passed: that the Chair meet with the Executive Director of the Ethics Commission to discuss that Commission's organizational experiences and explore public hearings and investigations.

9. Discussion and possible action to request the Sheriff to meet with the Commission at its next meeting to discuss security preparations for the March elections and working relationship with the Elections Department.

Motion 02-01-24-9 (Shadoian Mendelson): Moved, seconded, and unanimously passed: that the Chair invite the Sheriff to meet with the Commission to discuss security preparations for the March elections and working relationship with the Elections Department.

It was the consensus of the Commission that the meeting with the Sheriff be scheduled at the meeting of the Commission to be held on February 1, 2002.

10. Discussion with Director of Elections Department about the operations of the Department, preparations for the March elections, registration, budget, media consultants and relations, committees, canvassing boards, working groups and status of written public plan.

Director of Elections Tammy Haygood reported to the Commission, referred the Commissioners to prepared documents, and answered questions from the Commissioners.

11. Discussion and possible action to request from the Director of Department of Elections a written report (due no later than February 1, 2002) of the current status of the Department's preparation for the March 5, 2002, election. Included in this report shall be:

- 1) Security preparations for the ballots including the arrangement with the Sheriff's Department;
- 2) Availability of working space before, during and after the election;
- 3) Canvassing procedures;
- 4) Ballot preparation;
- 5) Recruiting and training of poll workers, field election directors and election staff;
- 6) Canvassing board appointments;
- 7) Budget update;
- 8) Public notification; and

9) Copy of public plan for election as required by Prop E.

Motion 02-01-24-10 (Shadoian/Rosenthal): Moved, seconded, and unanimously passed: that the Director of the Department of Elections provide the Commission with a written report (due no later than February 1, 2002) of the current status of the Department's preparation for the March 5, 2002 election.

12. Discussion and possible action to request the Civil Service Commission and Human Resources Department to provide a briefing at the Election Commission's next meeting about the process and policies for hiring an Elections Department director and Commission support staff.

Motion 02-01-24-11 (Shadoian/Schulz): Moved, seconded, and unanimously passed: that the Chair of the Personnel Committee will reach out to the Department of Human Resources and the Civil Service Commission concerning the process and policies for hiring an Elections Department director and Commission support staff.

13. Discussion and possible action to establish the Elections Commission's next meeting date and future dates.

Motion 02-01-24-12 (Shadoian/Schulz): Moved, seconded, and unanimously passed: that the Commission will meet on the first and third Thursdays of the month at 7:00 p.m. in room 408 of City Hall.

14. Public Comment.

Members of the public made comment.

16. Adjournment.

Motion 02-01-24-13 (Rosenthal/Kenealey): Moved, seconded, and unanimously passed: that the meeting be adjourned.

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Joe Lynn

Campaign Finance Officer, SF Ethics Commission

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, Chair
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Richard Shadoian
Brenda Stowers

SPECIAL MEETING of ELECTIONS COMMISSION of the *CITY and COUNTY of SAN FRANCISCO*

DOCUMENTS DEPT.

DATE: Friday, February 1, 2002
TIME: 4 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

1. Call to Order and Pledge of Allegiance
2. Roll call of Commission Members
3. Sunshine Ordinance Training (Discussion Only)
4. Report from Commission Members on action to appoint three members to the Redistricting Taskforce. Act on appointments. (Action Item)
5. Discussion and possible action on February 1, 2002 report requested from the Director of Department of Elections covering the current status of the Department's preparation for the March 5, 2002, election, including security issues (in conversation with the Sheriff). (Action Item)
6. Discussion of the Department of Elections budget. (Discussion Only)
7. Discussion and possible action to establish future meeting dates. (Action Item)
8. PUBLIC COMMENT
Note: the Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.
9. PROPOSED NEW BUSINESS Items/issues for agendas of future meetings.
10. ADJOURNMENT

THE AGENDA PACKET (comprised of a copy of applications and letters from persons interested in serving on the Elections Taskforce) WILL BE AVAILABLE FOR REVIEW AT THE DEPARTMENT OF ELECTIONS, FROM NOON THURSDAY, JANUARY 31, TOUGH FRIDAY, FEBRUARY 1, CITY HALL, ROOM 48

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The Elections Commission

February 01, 2002

Department of Elections
Elections Commission



CITY AND COUNTY OF SAN FRANCISCO

ELECTIONS COMMISSION

Minutes of the

San Francisco Elections Commission

City Hall, One Dr. Carlton B. Goodlett Place, Room 408

February 1, 2002

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1. Call to order and roll call

President Tom Schulz called the meeting to order at 4:05 p.m.

COMMISSION MEMBERS PRESENT: Thomas Schulz, President; Richard Shadoian, Vice President, Robert Kenealey, Commissioner; Michael Mendelson, Commissioner; Alix Rosenthal, Commissioner; David Serrano-Sewell, Commissioner; Brenda Stowers, Commissioner.

STAFF PRESENT: Tammy Haygood, Director of Elections; Jeremy Eckstein, Assistant to the Director

CITY ATTORNEY'S STAFF PRESENT: Julie Moll, Deputy City Attorney

MATERIALS DISTRIBUTED:

- Agenda for the February 1, 2002 Meeting
- San Francisco Sheriff's Department DRAFT ELECTION BUDGET
- Supplemental Appropriation for the Department of Elections
- Policy Issues for Consideration by the Elections Commission
- File Nos. 012002 and 011066 from the Rules and Audit Committee and the Board of Supervisors
- Department of Election Logic and Accuracy Test Plan for the March 2002 Gubernatorial Primary Election

- Department of Elections Plan for the March 5, 2002 for the March 2002 Gubernatorial Primary Election
- Sunshine Ordinance Training Booklet
- Room Availability Schedule per Department of Media Service
- Working Election Calendar for the Gubernatorial Primary, March 5, 2002
- Process to be used for nomination and appointment of three members to the Redistricting Task Force from Commissioner Tom Schulz

3. Sunshine Ordinance training was presented by Buck Delventhal and Paul Zarefsky of the City Attorney's Office.

Public Comments:

Ms. Shelley Bell alleged that the Sunshine Ordinance was violated because the agenda for the Elections Commission meeting on February 2, 2002 was not posted on the website at least 72 hours before the meeting.

4. Appointments to the Redistricting Task Force

Commissioner Tom Schulz made a statement on the process to be used for nomination and appointment of three members to the Redistricting Task Force. He stated that the three Commission members he asked to review the applications, letters of intent, etc. individually prioritize their top three candidates and present them to the full Commission for discussion and appointment action. He also requested that the selections and rankings be fair and impartial in determining the candidates.

Public Comments:

Joe Julian, Professor of Sociology, spoke about his application and made a statement on his qualifications.

Richard Ow stated that the appointments be made a top priority. He asked the Commission to conserve and protect the upcoming election. Voiced his desire to protect the community. He loves San Francisco.

Chris Bowman made a statement about his qualifications. He sat on the Citizens Advisory Council on Elections (CACE) for eight years and the Elections Task Force in 1995. He has the fieldwork experience and offered his electoral analysis to the Elections Task Force.

Martin MacIntyre spoke about his qualifications. He founded the Coalition of San Francisco Neighborhoods. He supports the Board of Supervisors on the Redistricting plan. He is a non-partisan voter, not politically motivated and has time to serve on the Elections Task Force. He is also with the U.C. Neighborhood Association.

Ann Short expressed to the Commissioners that those chosen by Director Haygood be considered.

Shelley G. Bell expressed to the Commissioners to uphold Ms. Haygood's appointments. She recommended Kathy Grogan. She also expressed that the current Elections Task Force consists of five men and one woman. She stated that the women in this city have long suffered and that it is time that women are represented in the public office.

Sandy Mori read Ms. Claudine Cheng's statement into the record of which a copy was distributed to the Commissioners.

Gwenn Craig was a former member and the to the Elections Task Force. She informed the Commissioners that she was involved in the first redrawing of the district lines. She stated that she is experienced, fair, balanced and works independently.

Helynna Brooke spoke of her qualifications. She expressed her support for Beverly Foo-Colon, Claudine Cheng and all the women who have applied to the Elections Task Force.

Michael Bernardo expressed his uneasiness about the Commission, (and expressed that all Commissioners are white, the city's diversity is not represented). He asked that the Commission look after the voting rights of all citizens. He also requested that an investigation be done into the missing applications and that it must be settled quickly.

Virgil Herndon expressed his support of Richard Ow and he wants to see diversity in the commission.

Susan Horstall congratulated Ms. Haygood's appointees who are all women. She encouraged the Commissioners to seriously consider the women's names. She also expressed that some applicants are also candidates for office.

Gilbert Criswell cited why you would want a candidate who is running for office on the Elections Task Force if they cannot even work as a poll worker?

David Bisho recommended Christopher Bowman to the Elections Task Force. He expressed that Mr. Bowman has knowledge of Redistricting since he served on the previous Elections Task Force.

Selection of the Elections Task Force members by the Commissioners.

Commissioner Mendelson outlined the process of selection used by the three members of the Personnel Committee.

The Commissioners presented their top three candidates:

Michael Mendelson Herbert Donaldson

Mauri Schwartz

James Sanbonmatsu

Richard Shadoian Dr. Joseph Julian

Gwenn Craig

John Dunbar

David Serrano-Sewell Clemetine Clark

Claudine Cheng

Beverly Foo-Colon

Brenda Stowers Gwenn Craig

Beverly Foo-Colon

Claudine Cheng

Thomas Schulz Herbert Donaldson

Gwenn Craig

Beverly Foo-Colon

Alix Rosenthal Herbert Donaldson

Gwenn Craig

Clemetine Clark

Robert Kenealey Herbert Donaldson

Claudine Cheng

Gwenn Craig

Motion 02-01-02-1:

To accept Claudine Cheng, Gwenn Craig and Herbert Donaldson as appointments of the Elections Commission to the Elections Task Force.

(Schulz/Shadoian): Moved, Seconded and Unanimously Passed.

Public Comments by Appointees to the Elections Task Force

Herbert Donaldson addressed the commission. He promised to do a good job and also promised to do his best to complete the task on the Redistricting effort. He stated that he is not a political person.

Gwenn Craig stated she knows the hard work that's on the way!

Recess , 15 minutes

Thomas Schulz addressed the issue of alleged missing Elections Task Force applicant files from the Elections Department. He stated that no files were missing and that they were in the possession of the Department and the Commission at all times.

5. Presentation by the Director of Elections on the preparation for the March 5, 2002 Gubernatorial Primary Election.

Director Haygood presented the Department of Elections Plan for the March 5, 2002 Gubernatorial Primary Election. She discussed areas of focus and departmental objectives. She also discussed the possibility of waivers with the passing of Proposition E for staff support on Elections.

Sheriff Michael Hennessey presented his security plan and discussed security preparations called for under Proposition E.

6. Discussion of the Department of Elections Budget presented by Ara Minasian,

Budget Analyst for the Department of Elections. He discussed the supplemental budget.

Public Comments:

Christopher Bowman stated that the meeting was a productive one. Stated that the issue of waiver is going to be a problem. The MIS problem should precede the waiver. Mr. Bowman suggested the waiver should be detail-oriented.

Fred Ridel suggested the process for the waiver.

Adam Duffy stated that the "tree killing comment is off-base". He added that the electronic system is not clean. Questioned who operates the equipment.

Helynnna Brooke applauded Tammy Haygood and her staff for their efforts.

8. Establishment of Future Meeting Dates

MOTIONS:

Motion 020102-2

A Special Meeting to be held on February 7, 2002 at 6:30 p.m. in Room 408.

(Schulz/Shadoian): Moved, Seconded, and Unanimously Passed.

Motion 020102-2

A Special Meeting of the Budget Policy Committee to be held on February 7, 2002 at 4:30 p.m. in Room 408.

(Alix Rosenthal/David Serrano-Sewell): Moved, Seconded, and Unanimously Passed.

Motion 020102-3

A Regular Meeting on the 1st and 3rd Wednesdays of the every month at 7:00 p.m. in Room 400.

(Alix Rosenthal/David Serrano-Sewell): Moved, Seconded, and Unanimously Passed.

9. Items for Future Agendas

1. Issuance of waivers (detailed) for pollworkers/MIS support staff.
2. Continue to review the Department of Elections Plan.
3. Organizational Flow Chart was requested by Commissioner Tom Schulz.
4. Detailed review of the Department of Elections Budget.

10. Meeting adjourned at 7:50 p.m.

PUBLIC COMMENT

Reporter Chancey Bailey questioned Commissioner Mendelson and Commissioner Shadoian

about alleged missing files.

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING AND AGENDA

02-01-02P01:12 RCVD

DATE: Tuesday, February 5th, 2002
TIME: 4 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

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1. Call to Order and Roll Call
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.
3. Presentation from representative of Department of Human Resources on selection, removal, review of performance of the Director of Elections and Commission Secretary. (Discussion and possible action)
4. Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation and determination of employment status (Director of Elections, Tammy Haygood).
5. Discussion and Possible Action re: Disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee performance evaluation and determination of employment. (Director of Elections, Tammy Haygood).

6. ADJOURNMENT

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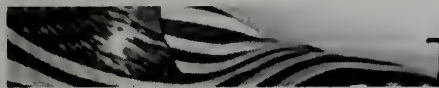
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The Elections Commission

February 05, 2002



Department of Elections
Elections Commission

CITY AND COUNTY OF SAN FRANCISCO

ELECTIONS COMMISSION

Minutes of the

San Francisco Elections Commission

City Hall, One Dr. Carlton B. Goodlett Place, Room 408

February 5, 2002

DOCUMENTS DEPT.

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1. Call to order and roll call

Commission President Tom Schulz called the meeting to order at 4:05 p.m.

COMMISSION MEMBERS PRESENT: Thomas Schulz, Commissioner, President; Richard Shadoian, Commissioner, Vice-President; Robert Kenealey, Commissioner; Michael Mendelson, Commissioner; Alix Rosenthal, Commissioner; (David Serrano-Sewell, Commissioner - not present)

STAFF PRESENT: Tammy Haygood, Director of Elections; Jeremy Eckstein, Assistant to the Director

CITY ATTORNEY'S STAFF PRESENT: Julie Moll, Deputy City Attorney

MATERIALS DISTRIBUTED:

- Agenda for the February 5, 2002 Meeting
- Correspondence received from the Clerk of the Committee dated January 30, 2002
- Official Complaint to the Commission for the Department of Elections dated February 5, 2002
- City and County of San Francisco Department of Human Resources Director of Elections Job Description Announcement
- Department of Elections Campaign Services Elections Plan for the March 5, 2002 Consolidated Primary Election

2. Public Comments:

Mr. Charles Marsteller, former chair of Common Cause discussed Structural Reform based on the New York City model. He distributed a letter dated February 5, 2002.

Rob Arnow of the Green Party Council presented a letter to the Commission regarding his concerns about and his observations on Election Night (no date specified).

Marc Salomon stated that the Director, Ms. Haygood was intelligent and that he had respect for her. He made a statement that many persons were concerned about the elections process due to media reports, reported incidents and bad customer service at the Department of Elections. He stated that the best PR was to run a clean election.

Shelly Bradford Bell stated that there was a lack of procedures. She stated that Ms. Haygood was an extremely competent director. She made her complaints known to the Sunshine Ordinance contact. She stated that she had many concerns about the role of the Commission. She also distributed a letter of complaint to the Commission. Reiterated that Ms. Haygood, that the director is very competent.

Peter Fries inquired about the Charter mandated Commission Secretary. He stated that something was needed to be changed in that regard. He stated that it is a matter of fixing the legislation.

Julie Moll clarified that the Commission has authority to hire a Commission Secretary under Charter Section 4.102.

3. Presentation from Ms. Marsha Strepp from the Department of Human Resources on selection, removal, review of performance of the Director of Elections and Commission Secretary (Discussion and Possible Action).

Ms. Marsha Strepp stated that the recruitment for the Director of Elections conducted was along standard civil service guidelines. She informed the Commissioners that the Human Resources Department had an eligible standing list until June 2002. The time frame to conduct the selection depended on the intensity of the search. She stated that there were not many qualified or interested candidates in the Department of Elections Director position. The selection process usually takes one or two months.

She informed the Commission that the list of eligible applicants continued to decline since 1980. She informed the Commission that the salary and benefits package that a prospective candidate receive may influence the list of eligibility.

She stated that not much has changed since the 1980s in regards to the qualification required for the position. Currently, there is no elections experience needed to become the Director for Elections. The Screening Committee had to review the supplemental applications. The Bachelor Degree requirement has only been added recently.

Currently, a one-year probationary period is imposed on the Director of Elections.

The initial stop for the Department of Human Resource was to update the job analysis.

The Department of Human Resources does the prevailing practice study. The recruitment phase takes two to six months. The Department of Human Resources is moving toward ranking the list within the next few months.

The Commission Secretary is an at-will-employee and is exempted from civil service. The Department of Human Resources is considering posting the announcement for the Commission

Secretary vacancy.

The Department of Human Resources has performance review guidelines. The guidelines are created by the appointing authority.

Public Comments:

Chris Bowman talked about problems due to loss of institutional memory. He discussed

how the performance of the Elections Department is improving. He also commented on Ms. Strepp's presentation. He that Ms Strepp's statement that the Commission Secretary was an "at will" employee conflicted with the language of Proposition E, which Bowman helped to draft. He suggested that she re-read the legislation.

Commissioner Tom Schulz made a statement prior to the closed sessions that the structure for the Elections Department had changed. Commissioner Tom Schulz stated the expectation to have a trouble-free and perfect transition was unrealistic. He addressed the need to have a set of expectations for the Director and the Commissioner. He stated that feedback was helpful in setting the work expectations for the Director and the Commission.

4. Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation determination of employment status (Director of Elections, Tammy Haygood).

The session closed at 5:00 p.m.

The Public Record Reopened at 6:22 p.m.

5. Discussion and Possible Action Re: Disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12

Motion 020502-1:

That the directives given by the Commission during the closed session should remain undisclosed.

(Alix Rosenthal/David Serrano-Sewell): Moved, Seconded, and Unanimously Passed.

Motion 020502-2:

Item No. 1:

- Ms. Haygood will be given a performance evaluation by the Commission.
- Ms. Haygood will present a performance review format by March 20 to the Personnel Committee.

Item No. 2:

- Ms. Haygood will report on the March 5, 2002 Election to the Elections Commission on March 6, 2002.
- A written report on lessons learned and how objectives and goals for the election were met is due by April 3.

(Tom Schulz/Richard Shadoian): Moved, Seconded and Unanimously Passed.

Public Comments:

Ms. Helynna Brooke urged the Commission to let the Department focus on the Election for March 5.

6. Meeting adjourned at 6:30 p.m.

Motion to adjourn the meeting 020502-3:

(Michael Mendelson/Tom Schulz): Moved, Seconded, and Unanimously Passed.

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING AND AGENDA

DATE: Thursday, February 7th, 2002
TIME: 6:30 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

DOCUMENTS DEPT.

Order of Business:

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1. Call to Order and Roll Call
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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3. Presentation from representatives of the Elections Commission Budget and Policy Committee on the Department of Elections Budget. (Discussion and possible action)
4. Discussion and possible action on the Directors' request that the Elections Commission seek from the Board of Supervisors a waiver under City Charter Section 13.104.5. regarding:
 - Technical Computer Support by Administrative Services Staff for Election Day.
 - City employees working on Election Day as Elections Officers (poll workers).(Discussion and possible action)
5. Report by the Director of the Department of Elections. (Discussion and possible action)
6. Discussion of the Elections Plan for the March 5th, 2002 Gubernatorial Primary Election. (Discussion and possible action)

7. Presentation from representative of the Secretary of State. (Discussion and possible action)
8. General Public Comment.
9. PROPOSED NEW BUSINESS Items/issues for agendas of future meetings. (Discussion and possible action)
10. ADJOURNMENT

Disability Access

The hearing room is wheelchair accessible

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall

by mail to:

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Members of the audience who wish to be notified of future meetings should sign in on the pad that will be provided.

ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, Chair
Richard Shadoian, Vice-President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

CITY AND COUNTY OF SAN FRANCISCO ELECTIONS COMMISSION

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Draft Meeting Minutes of the San Francisco Elections Commission

City Hall, One Dr. Carlton B. Goodlett Place, Room 408

6:30 p.m., February 7, 2002

1. Call to Order and Roll Call

Commissioner President Tom Schulz called the meeting to order at 6:40 p.m.

COMMISSION MEMBERS PRESENT: Thomas Schulz, President; Richard Shadoian, Vice-President; Robert Kenealey, Commissioner; Michael Mendelson, Commissioner; Alix Rosenthal, Commissioner; David Serrano-Sewell, Commissioner; Brenda Stowers, Commissioner

STAFF PRESENT: Tammy Haygood, Director of Elections; Jeremy Eckstein, Assistant to the Director

CITY ATTORNEY'S STAFF PRESENT: Julie Moll, Deputy City Attorney

MATERIALS DISTRIBUTED:

- Notice of Special Meeting and Agenda
- Room Availability Schedule per Department of Media Services
- Letter from Commissioner Richard Shadoian dated January 7, 2000 re: complaints received
- MacKenzie Communications Inc. contract
- Department of Elections Budget for the November and December 2001 and March 2002
- Supplemental Budget Appropriation for the Department of Elections
- Department of Elections Expenditure Analysis for Supplemental Appropriation
- Personnel Costs for Preparing (Set Up) the Recanvassing of the November and December 2000 Ballots

2. Public comment on matters appearing or not appearing on the agenda that is within the jurisdiction of the Elections Commission.

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PUBLIC COMMENTS:

Marc Salomon spoke of the irregularities in ballot distribution and the xeroxing of the ballots for early voting. He stressed how critically important it is for the Commission to take the Secretary of State's advice to recanvass the November 2000 Election.

David Rogers voiced his concerns about touch screen voting, as it requires no physical paper trail. He stated that Proposition E implementation is 12% of the budget and plays a very important function in the city government. He also did not want to see city employees utilized as poll workers. He also recommended that the technical support should also be kept in-house. He stated that the Eagle Machines locks be upgraded.

3. Presentation from representatives of the Elections Commission Budget and Policy Committee on the Department of Elections Budget. (Discussion and possible action)

Motion 020702-1:

Commissioner Alix Rosenthal from the Budget and Policy Committee presented to the Commission the Department of Elections Supplemental Budget and recommended approval. **(Rosenthal/Kenealey) Moved, Seconded, and Unanimously Passed.**

Discussion of the budget followed the motion.

- Budget and Policy Committee recommended to the full Commission that the Department of Elections Budget be discussed further.
- The role of Consultants in the Department of Elections Budget be examined closely.

Motion by Commissioner Tom Schulz to add \$125,000.00 for the Sheriff's Department budget item.

Commissioner Tom Schulz stated that there should be no recanvassing of the November 2000 Election and that the results were certified.

Commissioner Michael Mendelson affirmed Commissioner Schulz's decision and stated that recanvassing of the November 2000 Election is inappropriate at this point. He recommended eliminating the funding for recanvassing from the budget.

Commissioner Brenda Stowers asked what lessons were learned on the November 2000 Election?

Commissioner Michael Mendelson stated that lessons on space and security were learned and that it is not prudent to recanvass the November 2000 Election.

Motion 020702-2:

To strike the recanvassing budget item from the budget.

(Mendelson/Rosenthal) Moved, Seconded, and passed.

- **Commissioner Tom Schulz (aye)**
- **Commissioner Richard Shadoian (aye)**
- **Commissioner Robert Kenealey (aye)**
- **Commissioner Michael Mendelson (aye)**
- **Commissioner Alix Rosenthal (aye)**
- **Commissioner David Serrano-Sewell (aye)**
- **Commissioner Brenda Stowers (nay)**

Public Comments:

David Rogers stated that the recanvassing procedure carried a lot of weight, since it was a direct order from the Secretary of State. The recanvass would be very instructive and the Commission's obligation to the voters.

Marc Salomon stated that the statute of limitation for the November 2000 Election has expired. He recommended recanvassing of the November and December 2001 Election.

Motion Amendment 020702-3:

Motion to add \$125,000.00 for the Sheriff's Department budget item.

(Rosenthal/Mendelson) Moved, Seconded, and Unanimously Passed.

Amended Motion Passed Unanimously.

Commissioner Alix Rosenthal not present.

4. Discussion and possible action on the Directors' request that the Elections Commission seek from the Board of Supervisors a waiver under City Charter Section 13.104.5. regarding:

- **Technical Computer Support by Administrative Services Staff for Election Day.**
- **City employees working on Election Day as Elections Officers (poll workers).**

(Discussion and possible action)

Note: Section 13.104.5 prohibits City personnel (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, or the Sheriff) from "in any capacity perform[ing] any function relating to the conduct of an election." The Board of Supervisors may waive this prohibition for Election Day activity only.

Director Haygood stated that she would like to have the option to use city employees if the Department of Elections ran short on inspectors but stressed that the department could work out without utilizing city employees as inspectors or poll workers. She stressed that help was needed for IS support but that the Department of Elections could function if Administrative Services Staff was not available.

Motion 020702-4:

To ask that the Board of Supervisors pass a waiver allowing the Department of Elections to use the Administration Services staff on Election Day for technical support.

(Rosenthal/Mendelson) Moved, Seconded, and Unanimously Passed.

Julie Moll, Deputy City Attorney, described the procedures for seeking a waiver from the Board of Supervisors.

Motion Amendment 020702-5:

That the Director seek for a suspension of the 30-day Rule from the President of the Board of Supervisors.

Motion Amendment Passed Unanimously.

Motion 020702-6:30 pm-6:

Motion to allow the use of city workers to work on Election Day as poll workers.

(Mendelson/Rosenthal) Moved, Seconded, and Unanimously Passed.

Public Comments:

Fred Ridel urged not to seek a waiver for city employees. He voiced his concerns about conflicts of interests and stated that a waiver is a bad idea. He urged not to seek waivers.

David Rogers urged not to seek waivers too. He directed the director to develop a cadre of inspectors.

Commissioner Schulz, Commissioner Kenealey, Director, Tammy Haygood, Commissioner Brenda Stowers) had a discussion whether or not Director Haygood can go ahead and operate without obtaining a waiver.

Motion to operate without a waiver did not pass. All answered with no's with the exception of David Serrano-Sewell.

A five-minute recess was observed.

Item #3 was discussed further after the five-minute recess.

- The Budget and Policy Committee recommended the hiring of Communications Consultants as Deputy Director. The Budget and Policy Committee discussed to hire someone on a temporary basis to get through the March Election with the emphasis on hiring a Deputy Director in the future.
- The Budget and Policy Committee also recommend that minimizing the budget expenditure be used as a performance standard for a Director.

Director Haygood stated that she is putting a budget together for the next fiscal year. She will give a presentation of the budget to the Commission before giving it to the Mayor.

5. Report by the Director of the Department of Elections. (Discussion only)

Director Haygood presented the budget and stated that she is looking for guidance from the Budget and Policy Committee. She also made a statement on the early voting problems. She stated that she would do a better job of informing the public. She will ensure that communication is stronger all around.

Commissioner Stowers asked whether or not the integrity of the process had been jeopardized. **Director Haygood** stated that it had not.

Commissioner Shadoian asked whether or not the remade ballots would be jeopardized. Again, **Director Haygood** replied that that too would not be jeopardized. **Commissioner Shadoian** questioned why it was necessary for Field Election Deputies to undergo a three day training program.

6. Discussion of the Elections Plan for the March 5th, 2002 Gubernatorial Primary Election. (Discussion only and possible action)

Director Haygood presented to the Elections Commission the department's plan for the March 5, 2002 Gubernatorial Primary Election. She discussed the following:

- absentee ballot mailing procedure
- Legislation put forth by Supervisor Matt Gonzalez.
- February 1, 2002 Election Calendar has been replaced by the February 5, 2002; the Election calendar is a working document
- contingency plan from the November 2001 Consolidated Municipal Election would be utilized for the March 5, 2002 Gubernatorial Primary Election
- Phonebank Training Manual

Commissioner Shadoian commented that the FEDS utilized by the Department should be San Francisco citizens. He also stated that the policies should be included in the future. He also stated that a four-day training of FEDS necessary.

Commissioner Mendelson requested that questions to the Director should be addressed through the President, materials should be easily obtained from the website and that materials distributed for the meeting be hole-punched so that the Commissioners can effortlessly put them in their respective binders.

Motion 020702-7:

That between now and the next meeting, that questions should be raised through the Commission President in writing and re-addressed to the Director. The Director should have to respond to the question at the next scheduled meeting.

(Schulz/Mendelson) Moved, Seconded and Unanimously Approved.

Public Comments:

Fred Ridel suggested that the public receive a copy of the questions posed to the Director. He suggested following up on and tracking the legislation going through the Board of Supervisors. He also stated that the Director should have a "heads up" on what is happening through her staff". He outlined the procedures for getting the department's budget approved. He also added that his information is gathered through media clippings from the Department of Elections media advisories.

David Rogers asked what about unvoted ballots?

7. Presentation from representative of the Secretary of State. (Discussion only)

Not present at this meeting.

8. General Public Comment.

Fred Ridel suggested to the Commissioners to work with activists to address questions about public observation access during Election Day.

9. PROPOSED NEW BUSINESS Items/issues for agendas of future meetings. (Discussion and possible action)

- Presentation from representative of the Secretary of State (Discussion Only)

Announcements:

- Commissioner Mendelson suggested for the Department of Elections to post the Elections Commission Secretary vacancy on the web. The completed job application and resumes for the Elections Commission Secretary vacancy can be submitted in any format.
- Meeting to be held on February 22, 2002 at 12:30 p.m. will be a closed session.
- Meeting to be held on February 20, 2002 in Room 400 at 7:00 p.m.

The Commissioners discussed the letter distributed from Commissioner Shadoian on allegations received for the District Attorney to investigate.

- Prompted discussion on how to investigate issues in the future. It should be discussed in setting Bylaws for the Commission.

10. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealeay
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

"See revised agenda"

NOTICE OF MEETING

02-14-02P04:03 RCVD

DATE: Wednesday, February 20, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

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1. Call to Order and Roll Call
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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3. Approval of Past Minutes from meetings on 1.24.02, 2.1.02, 2.5.02, 2.7.02 (Budget and Policy Committee), 2.7.02. (Discussion and Possible Action)
4. Report by the Director of Elections on March 5, 2002 Election. (Discussion and Possible Action)
5. Report by the Director on the status of the Department of Elections request for a Supplemental Budget Appropriation. (Discussion and Possible Action)
6. Discussion and possible action to adopt a conflict of interest code. (Discussion and Possible Action)
7. Discussion on setting Commission Bylaws. (Discussion and Possible Action)
8. Report by the Budget and Policy Committee. (Discussion and Possible Action)
9. Report by the Commission President on the Sunshine Ordinance Task Force Complaint Committee hearing held on February 12, 2002 at 12:00 p.m. (Discussion and Possible Action)

10. Discussion on establishing a relationship with the Citizen's Advisory Committee on Elections. (Discussion and Possible Action)
11. Discussion and Possible action regarding communication with the Secretary of State on the issue of recanvassing the November 2000 Election. (Discussion and Possible Action)
12. General Public Comment
13. ADJOURNMENT

Disability Access

The hearing room is wheelchair accessible.

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Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF MEETING

02-15-02P04:30 RCVD

DATE: Wednesday, February 20, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

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4. Report by the Director of Elections on March 5, 2002 Election. Discussion of the March 5th, 2002 Election plan. (Discussion and Possible Action)
5. Discussion of the roles that Commission members will play in observing the March 5, 2002 Election. (Discussion and Possible Action)
6. Report by the Director on the status of the Department of Elections request for a Supplemental Budget Appropriation. (Discussion and Possible Action)
7. Discussion and possible action to adopt a conflict of interest code. (Discussion and Possible Action)
8. Discussion on setting Commission Bylaws. (Discussion and Possible Action)
9. Report by the Budget and Policy Committee. (Discussion and Possible Action)

10. Report by the Commission President on the Sunshine Ordinance Task Force Complaint Committee hearing held on February 12, 2002 at 12:00 p.m. (Discussion and Possible Action)
11. Discussion on establishing a relationship with the Citizen's Advisory Committee on Elections. (Discussion and Possible Action)
12. Discussion and Possible action regarding communication with the Secretary of State on the issue of recanvassing the November 2000 Election. Discussion with a representative from the Secretary of State's Office. (Discussion and Possible Action)
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The Elections Commission

February 20, 2002

Department of Elections
Elections Commission

CITY AND COUNTY OF SAN FRANCISCO

ELECTIONS COMMISSION

Minutes of the

San Francisco Elections Commission

City Hall, One Dr. Carlton B. Goodlett Place, Room 400

7:00 p.m., February 20, 2002



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1. Call to Order and Roll Call

Commission President Tom Schulz called the meeting to order at 7:11 p.m.

COMMISSION MEMBERS PRESENT: Thomas Schulz, President; Richard Shadoian, Vice-President; Robert Kenealey, Commissioner; Michael Mendelson, Commissioner; Alix Rosenthal, Commissioner; David Serrano-Sewell, Commissioner; Brenda Stowers, Commissioner**STAFF PRESENT:** Tammy Haygood, Director of Elections; Jeremy Eckstein, Assistant to the Director**CITY ATTORNEY'S STAFF PRESENT:** Julie Moll, Deputy City Attorney**MATERIALS DISTRIBUTED:**

- Notice of Meeting and Agenda
- Addendum to the San Francisco Department of Elections Plan for the March 5, 2002 Consolidated Primary Election
- Process to be used for nomination and appointment of three members to the Redistricting Task Force from Commissioner Tom Schulz
- Letter dated February 20, 2002 from Commission President Tom Schulz addressed to Complaint Committee, Sunshine Ordinance Task Force

- Draft Meeting Minutes dated January 24, February 1, February 5, February 7 at 4:30 p.m., and February 7 at 6:30 p.m.
- Revised March 5, 2002 Working Election Calendar for the Gubernatorial Primary
- San Francisco Public Library Meeting Minutes

2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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Public Comments:

David Rogers voiced his concerns regarding unvoted ballot retrieval. He spoke of an incident where 600 voted ballots were not removed from the Eagle Machines the night of the election and how a poll worker walked off with 250 unvoted ballots. He was deeply troubled to hear that the Department of Elections did not think the two incidents were a problem. He stated that the passing of Proposition E would address the problem. He also suggested that the Department of Elections should have a card at the kiosk at the entrance because all departments and commissions have their contact and location information there.

Agenda Line Item Numbers Three to Eleven were skipped for the Secretary of State's, Agenda Line Item Number Twelve.

12. Discussion and Possible action regarding communication with the Secretary of State on the issue of recanvassing the November 2000 Election. Discussion with a representative from the Secretary of State's Office. (Discussion and Possible Action)

• **Bill Jones** distributed Letter dated February 20, 2002 from Bill Jones, California Secretary of State, re: Reforming the Elections Process in San Francisco addressed to Honorable Tom Ammiano, Chair, Board of Supervisors

Bill Jones, Secretary of State, expressed his appreciation that the Commission is doing its jobs. He commented that the Commissioners work short hours and have high paying salaries.

He voiced his intention to restore professionalism and integrity to the Department of Elections and hoped that voters would become comfortable to vote again in San Francisco elections.

In his two terms as Secretary of State, he stated that no other county in the State of California has had the repeated need of his attention on an on-going basis and that the plate is going back to the San Francisco local government.

He addressed the need for a full recanvass of the November 2000 Election. He stated that investigators from his office found discrepancies on voted precinct ballots. He expressed his concern that the full recanvass and review of the November 2000 Elections has not occurred yet. He added that one-third of the San Francisco voters are unhappy and uncomfortable with the Department of Elections.

He also expressed his dismay over the San Francisco Board of Supervisors' decision to put off the recanvassing procedure. He added that the need to review the election in question is imperative and should be done in an aggressive time frame.

He also expressed his intention on assisting the department with their reform efforts. He added that he did not appear before the Commission to create problems and that he would not question its conduct.

He offered the following proposals for consideration before the Commission:

- Build Continuity and Stability in the Elections Department
- Development of a Plan for Reform, Stability, and Continuity
- Community Involvement
- Involve Other Election Officials
- Survey of Other Counties
- Staffing
- Information Technology
- Physical Location: Office Space and Warehouse
- Procedures and Resources
- Maintenance of the Voter File and Outreach to Voters
- Resolution of Outstanding Issues

(For complete details, please refer to the Secretary of State's letter dated February 20, 2002)

Secretary of State Bill Jones suggested that the Commission review his outlined reform recommendations. He stated that the public needed to trust the department again and delays could only cause additional problems. He added that credibility should become the department's primary goal.

Commission President Tom Schulz stated that the Elections Commission and the Secretary of State had 90% agreement on the recanvass order. He added that he admired the Secretary of State's openness on issues relating to the Department of Elections. He also stated that the Secretary of State gave a detailed presentation and produced a good management outline. Commission President Tom Schulz added that the Commission had limited resources and that the cost benefit of recanvassing outweighs the budget limitation. He further stated that the November 2000 Election was done and that the Commission should focus their energy into consolidating and finding an office space for the Department of Elections. He asked the Secretary of State if the State of California would help pay for the recanvass order.

Secretary of State Bill Jones answered Commissioner Thomas Schulz inquiry. He stated that the Elections Commission cannot leave a page unturned and that the questions must be answered. He added that he issued the full recanvass deadline after the March 5, 2002 Election because he did not want to jeopardize the upcoming election.

Commission President Tom Schulz stated that the Commission would get actively involved in answering the questions posed by the Secretary of State regarding the November 2000 Election full recanvass.

Public Comments:

Peter Fries commented that the Sunshine Ordinance has a provision that a public speaker has a 250-words limitation. He stated that he heard the most unusual thing from the Secretary of State. He added that the Secretary of State's dialogue should be incorporated to the meeting minutes by reference only.

David Rogers stated that 33% of voters distrust the San Francisco Department of Elections.

3. Approval of Past Minutes from meetings on 1.24.02, 2.1.02, 2.5.02, 2.7.02 (Budget and Policy Committee), 2.7.02. (Discussion and Possible Action)**Public Comments:**

Peter Fries commented that he has a problem with the minutes. He also stated that meeting minutes drafts should be available to the public ten days after the meeting. He suggested pushing for approval of minutes.

The approval of past minutes from meetings on January 24, 2002, February 1, 2002, February 5, 2002, February 7, 2002, and February 7, 2002 was rescheduled on March 6, 2002 meeting.

Agenda items 4, 5, 6, 7, 8 were skipped for line item #9, report from the Budget and Policy Committee.

9. Report by the Budget and Policy Committee. (Discussion and Possible Action)

Commissioner Alix Rosenthal reported on the impact to the Department of Election if Proposition A (instant run-off voting) passed. She voiced her concerns on:

- Staff training
- Software problems with ES&S
- Related expenses of Proposition A
- Software approval from the Secretary of State, and
- How it would affect the voters of San Francisco

She stated that it would be a challenge to implement the software before 2003 because the Secretary of State has to certify the software needed for the instant run-off voting. She informed the Commissioners that the software had not been certified.

She suggested getting a waiver before 2003. She informed the Commission that Santa Clara County adopted the instant run-off voting but has not made any request to the Secretary of State for software certification.

She also reported to the Commission that the instant run-off voting process was improbable logistically. She stated that not implementing the instant run-off voting would not violate constitutional or federal laws but unsure of any state laws.

She also reported that Cambridge, MA is the only place that was using the instant run-off voting in the country. She reported that a manual count was in place until 1997, when optical scanners took its place.

Public Comments:

Christopher Bowman re-affirmed Commissioner Rosenthal's reports that Instant Run-Off Voting was not being used anywhere else in the United States. He read Bradley Clark's (Registrar of Voters Alameda County) letter distributed at the Budget and Policy Committee meeting. He requested that the letter be included in the minutes of the Budget and Policy Committee meeting and not to delay the approval of the Task Force on Redistricting budget and that authority be delegated on the subject.

4. Report by the Director of Elections on the March 5, 2002 Election. Discussion of the March 5th, 2002 Election plan. (Discussion and Possible Action)

Director Haygood discussed the open problems associated with the March 5, 2002 Election. She reported to the Commissioners that the department has received 900,000.00 ballots with the remainder to be delivered on or before March 1, 2002.

She described the incremental steps necessary to ensure that the ballots could be used for the March 5, 2002 Primary Election.

- Spot Check, which identifies printing errors or other problems.
- Ink blotches by the arrow area which can give false readings
- **Director Haygood** also opened the discussion of issues for the March 5, 2002 Election:
 - Space Availability / Space Modifications
 - Ballot Storage
 - Shipping
 - Receiving

The Commissioners discussed how they could assist the department in finding a space to conduct elections. The Commissioners gave Director Haygood full power to find space to relocate her department to properly conduct an election in the future.

Director Haygood also reported on Midnight Madness. She informed the Commissioners that Midnight Madness was an annual event sponsored by the Department of Elections where voters could register or re-register for the March 5, 2002 Consolidated Election. She reported the event was very successful because the department was able to register 460 voters.

5. Discussion of the roles that Commission members will play in observing the March 5, 2002 Election. (Discussion and Possible Action)

Director Haygood informed the Commissioners of the observation sites available for the March 5, 2002 Election.

- **City Hall Cafeteria**, which would serve as the Command Center on Elections Day. This is where the Department of Elections answers and fields precinct calls. She informed the Commissioners that the Command Center would not be open and not accessible to the public for observation.
- **Cor-O-Van Warehouse**, which would serve as the Logic and Accuracy Testing site for the Eagle Machines to ensure that the machines work properly on elections day.

- **Pier 29**, which would serve as the Processing Center. DOE personnel accompanied by Sheriff Deputies would transport Red Boxes and unvoted ballots from polling places to Pier 29.

- **Corridor by Room 8**, which would serve as the absentee ballot processing center.

- **South Light Court**, which would serve as the remake process center. She informed the Commissioners that the department has to re-make, (in teams of two), ballots that are: torn, ripped, mutilated, stray marks in the read path, dirty/damaged ballots, not correctly marked ballots, sample ballots and paper (xeroxed) ballots prior to being processed through the Election System & Software (ES&S). She outlined the remake procedure to the Commissioners:

- ✂ Remake monitors will match paper ballots/damaged ballots with the correct duplicate ballots by party and ballot types.

- ✂ Only remake monitors can distribute ballots to be remake.

- ✂ Remake team must remain at their seat at all times during the remake process.

- ✂ Remake team must raise their hands and the monitors will assist them.

- **240 Van Ness**, which was responsible for receiving, checking, and distributing, unvoted precinct ballots and unvoted generic ballots.

- **Polling Precincts** in San Francisco.

- **Computer Room in Room 48, City Hall**, which would serve as the uplink site after 8:00 p.m.

Commission President Tom Schulz requested that the Commissioners receive public observation badges. He also directed the Commissioners to refer all complaints to his attention or Director Haygood.

Public Comments:

Chris Bowman stated that remakes and absentee ballots processing should occur City Hall's North Light Court and suggested that members of the press should be in the War Memorial Green Room across the street so that the Department of Elections could have more space. He also stated that the Voter Information Pamphlet (VIP) should have been mailed out forty days before the election and that the absentee voter ballots should have been mailed 29 days before the election to correspond with the 29 days early voting requirement. He asked what dates the voter information pamphlets went out and what percentage of the Decline-To-State voters requested had partisan ballots.

Director Haygood answered Chris Bowman's inquiry of when the VIPs were mailed. She stated that there was a problem with the contracted printer's ink jet address that prints the voter information pamphlets barcode and that the payment for the printing of the VIPs in the November 2001 Consolidated Municipal Election has not been made. She also stated that the sample ballot could be sent to voters 40 to 10 days prior to an election. She reported that the voter information pamphlet had been mailed out and that voters should receive their copy shortly. She also reported that the absentee voter ballot did not have a 29-day mandate and that it would be mailed the week of February 20, 2002. She added that a palate of ballots broke at the post office, which caused delays in voters receiving their voter information pamphlets.

Chris Bowman inquired again on the percentage of Decline-to-State Voters who requested

partisan ballots.

Peter Fries informed the Commission that the Veteran's Memorial Green Room was unavailable due to construction work. He stated that holding the election is a matter of city business and should not be moved elsewhere.

David Rogers inquired about voting materials retrieval and what procedures were currently in place.

A ten-minute break was observed at 8:45 p.m.

The meeting reconvened at 8:50 p.m.

Commission President Tom Schulz informed the Commission that they had to pick their own area to observe. He stated that he would also look into televising the meeting in closed circuit television. He also informed the Commissioners that a copy of their post-elections

observation would be sent to the Secretary of State. He reiterated to the Commissioners report back to him or to Ms. Haygood any problems found or observed on March 5, 2002.

Ms. Julie Moll, Deputy City Attorney, reminded the Commissioners that since they would act as observers and would be in the same place one time or another, a public notice should be posted. She stated that the Commissioners prepare a special notice and that an itinerary or an agenda was not necessary.

Commissioner Robert Kenealey inquired from Director Haygood on the status of the Elections Officers plan and training.

Ms. Haygood reported to the Commissioners that the Department of Elections planned to contact over the age of 50+ and that 200 Elections Officers volunteered to take the Elections Officers' Training classes. She also reported to the Commissioners that the procedure to become an Elections Officers had changed. She stated that previously, an Elections Officer only had to take a test, and that the applicant had come back for the training. Director Haygood stated that the intake test has been eliminated altogether. She reported that anyone who wished to work as an Elections Officer was encouraged to fill out a regular application form or if they chose, could phone or fax in their interest. Once the application had been processed, the applicant would be scheduled for a class. The Elections Officer would take a test at the conclusion of the class.

Public Comments:

No Public Comments.

6. Report by the Director on the status of the Department of Elections request for a Supplemental Budget Appropriation. (Discussion and Possible Action)

Director Haygood reported that the Elections Commission Finance Committee had approved the Elections Task Force on Redistricting budget. She stated that the Board of Supervisors Finance Committee members would hear the Elections Task Force on Redistricting budget on February 27, 2002. She also reported to the Commissioners that the Elections Task Force on Redistricting budget was separated from the Department of Elections' budget. She added that the Elections Task Force on Redistricting had planned to hold neighborhood/community meetings with meeting facilitators to get the public's input on their redistricting efforts.

Public Comments:

Ms. Julie Moll stated that the Commission should adopt a conflict-of-interest code.

7. Discussion and possible action to adopt a conflict of interest code. (Discussion and Possible Action)

Motion 022002-1:

To adopt conflict of interest code as stated by Julie Moll, Deputy City Attorney.

(Mendelson-Serrano-Sewell) Moved, Seconded and Unanimously Passed.

Public Comments:

No Public Comments.

Ms. Julie Moll, Deputy City Attorney, discussed the conflict-of-interest code with the Commissioners.

8. Discussion on setting Commission Bylaws. (Discussion and Possible Action)

Commissioner Michael Mendelson proposed to generate Bylaws with Commissioner Rosenthal, and to present the Bylaws to the full Commission.

Motion 022002-2:

To create an Ad Hoc Committee for bylaws and stationary.

(Mendelson/Rosenthal) Moved, Seconded and Unanimously Passed.

Public Comments:

No Public Comments.

9. Report by the Commission President on the Sunshine Ordinance Task Force Complaint Committee hearing held on February 12, 2002 at 12:00 p.m. (Discussion and Possible Action)

Commission President Thomas Schulz distributed a letter re: Request for Recusal by Chair of Sunshine Task Force and Response to Complaint Committee Meeting of February 12, 2002.

Public Comments:

No Public Comments.

10. Discussion on establishing a relationship with the Citizen's Advisory Committee on Elections. (Discussion and Possible Action)

Joseph MacGuire introduced himself as the new addition to the Citizen's Advisory Committee on Elections (CACE).

Commission President Tom Schulz asked the Commissioner about the working relations of the Elections Commission with the Citizens Advisory Committee on Elections. He

stated that the Commission has discretion as to the existence of the Citizen's Advisory

Committee on Elections.

Public Comments:

No Public Comments.

11. General Public Comment

Public Comments:

David Rogers requested that the Elections Commission have their scheduled meeting be more accessible to the public. He suggested that the process be observed with a time and date stamped video camera. He stated that the video camera was for security purpose as well as to "watch the watchers". He also suggested that the Service Corps of Retired Executives would be a good source of high quality volunteers for Election Day and Election Night.

Joseph McGuire stated that he was gratified with the work the Elections Commission was doing. He suggested that it would be interesting for the Commissioners to visit the San Mateo Department of Elections. He stated that San Mateo County's Department of Elections facilities' were a great example of transparent day-to day operations that the public can view. He urged the Commissioners to visit to San Mateo because it would be a wonderful experience during elections. He further stated that the San Mateo Department of Elections had a wide-open space and that the Commissioners should see how that particular county carries out their elections. He also stated that the San Francisco Department of Elections' problems are facility based-and that the Commission should move forward to address the San Francisco Department of Elections' warehouse, facilities, and office issues.

12. ADJOURNMENT

Motion to adjourn meeting at 10:00 p.m.

(Rosenthal/Mendelson) Moved, Seconded and Unanimously Approved.

Minutes Prepared By: Ana Marie Paraiso

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

February 22, 2002 (Special)

Agenda

NOTICE OF SPECIAL MEETING

DATE: Friday, February 22, 2002

TIME: 12:30 p.m.

LOCATION: City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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Order of Business:

1. Call to Order and Roll Call
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

3. Report from the Chair of the Personnel Committee on Procedures for hiring
 - Commission Secretary
 - Director of Elections (Discussion and Possible Action)
4. Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, review of applications for the position of Commission Secretary. Possible action on hiring of a Commission Secretary. (Discussion and Possible Action)
5. Discussion and Possible Action re: Disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12. (Discussion and Possible Action)
6. General Public Comment
7. ADJOURNMENT

Disability Access

The hearing room is wheelchair accessible.

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by mail to:

Administrator, Sunshine Ordinance Task Force

1 Dr. Carlton B. Goodlett Place, Room 409

San Francisco CA 94102-4689;

by phone at 415 554 7724

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

" See revised agenda "

NOTICE OF MEETING

02-27-02P02:36 RCV

DATE: Wednesday, March 6, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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3. Approval of Past Minutes from meetings on 1.24.02, 2.1.02, 2.5.02, 2.7.02 (Budget and Policy Committee), and 2.7.02. (Discussion and Possible Action)
4. Oral Report by the Director of Elections on March 5, 2002 Election. Report on what went well and what areas could be improved. (Discussion and Possible Action)
5. Discussion among Commissioners about their observations on March 5, 2002 Election (Discussion and Possible Action)
6. Reports by the Standing Committees
 - Personnel Committee: on process and progress for position of Commission Secretary and Director of Elections. (Discussion and Possible Action)

7. Discussion and possible action on the roles of Commission President and Commission Vice-President. (Discussion and Possible Action)
8. Report from the Secretary of State's Office on the March 5th, 2002 Election (Discussion and Possible Action)
9. Report from the Sheriff's Department on the March 5th, 2002 Elections (Discussion and Possible Action)
10. Report from Individual Members of the Citizens' Advisory Committee on Elections (Discussion and Possible Action)
11. Items for future agendas (Discussion)
12. General Public Comment
13. ADJOURNMENT

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF MEETING

DATE: Wednesday, March 6, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

03-04-02P124VS REVU

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Order of Business:

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1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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3. Approval of Past Minutes from meetings on 1.24.02, 2.1.02, 2.5.02, 2.7.02 (Budget and Policy Committee), and 2.7.02. (Discussion and Possible Action)
4. Vote of Confidence in the actions of the Commission President and the Commission Vice-President. (Discussion and Possible Action)
5. Oral Report by the Director of Elections on the March 5, 2002 Election. Report on what went well and what areas could be improved. (Discussion and Possible Action)
6. Discussion among Commissioners about their observations on the March 5, 2002 Election (Discussion and Possible Action)

7. Reports by the Standing Committees
 - Personnel Committee: on process and progress for the position of Commission Secretary and Director of Elections. (Discussion and Possible Action)
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9. Report from the Sheriff's Department on the March 5th, 2002 Election. (Discussion and Possible Action)
10. Report from Individual Members of the Citizens' Advisory Committee on Elections (Discussion and Possible Action)
11. Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation and determination of employment status (Director of Elections, Tammy Haygood).
12. Discussion and Possible Action re: Disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee performance evaluation and determination of employment. (Director of Elections, Tammy Haygood)

13. Items for future agendas (Discussion)
14. General Public Comment
15. ADJOURNMENT

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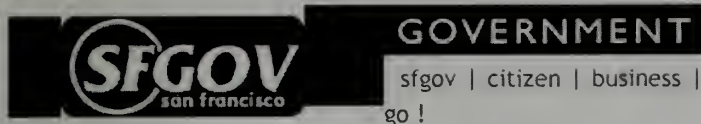
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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

March 06, 2002

Department of Elections
Elections Commission



Approved: 7-17-02

City and County of San Francisco
Elections Commission

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Minutes of the Meeting Held
Wednesday, March 6, 2002

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I. President Schulz called the meeting to order .

II. COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Brenda Stowers, David Serrano-Sewell, Thomas Schulz, and Richard Shadoian . COMMISSION MEMBER ABSENT: None.

Flag Salute

Public Comment: Claudine Chang spoke in favor of the re-districting; Michael Denny spoke in favor of candidates using their Chinese names; Julie Su complimented the DOE on the handling of the election which took place yesterday; Greg Chu gave a vote of confidence that the DOE was helpful, knowledgeable and generally courteous. He was especially complimentary regarding the pre-election day press briefing at which a number of DOE staff attended in Chinatown. Barbara Meskunas said it was admirable that the absentee ballots were put back into City Hall for the actual counting; Doug Comstock stated that he was disappointed that the turnout was so low; Daniella Kirshenbaum said that the group she represents, S. F. Fair Vote, are mainly concerned with the integrity and perception of the integrity of the election and that the money spent on the Sheriff's Deputies was money well spent; Helenia Brooks complimented the DOE and urged the Commission to work with the press to get the word out about future elections and not to deal with gossip; Paul McConnell was concerned with the low voter turn out and the competence of the office staff; Christopher Bowman stated that the quality of the precinct workers was markedly improved; William Yee Hensen complained that for the past several weeks the DOE official website had listed Nancy Pelosi's democratic opponent for Congress, Paul McConneell, as a republican; Rev. Arnold Townsend commended the Director and the Department on its continuing improvement; Toye Moses complimented the Director for coming to the Bayview for outreach and voter education; Susan Horsfall spoke about youth involvement in the election process; Sulu Palaga had positive comments regarding the Director's outreach to the Samoan community; James Bryant expressed support for the Director and complimented the DOE;

III. Approval of Minutes: Several Commissioners and one member of the public

presented corrections. Approval was tabled.

IV. Vote of Confidence in the actions of the Commission President and Commission Vice-President. - Tabled.

V. Director's Report on the March 5, 2002 Election: Director Haygood stated that she was currently in the process of doing a canvass. She passed out the maps of the redistricted lines to each Commissioner and explained how voters had been contacted regarding the redistricting.

President Schulz asked Ms. Haygood how successful she thought she had been with the notifications of redistricting? Director Haygood stated that she had specific tallies for the number of telephone calls received at the phone bank from citizens with questions on redistricting and these numbers proved that it had been relatively successful.

Director Haygood continued her report outlining the poll worker training and community outreaches; and presented the February outreach calendar as an example. Ms. Haygood described what she considered the weakest link in the recent election - delivering ballots to the inspectors. She continued with an explanation that her blue ribbon panel, with whom she met on the previous Friday, said that one problem was no economy of scale - there is nothing that one does for all precincts. For every 649 precinct, the DOE had to specifically custom make the ballot packet and get them to the correct precinct.

Commissioner Mendelson asked what was learned in terms of timing and printing - is there going to be a repetitious pattern that can be followed? Director Haygood replied that the DOE had a date that had to be left open for candidate to file, and that the ballot and VIP had to wait until after that date. This, she said, is a statutory date.

Continuing her report, the Director thanked the Sheriff's Department. She stated that there were six polls that were opened on the sidewalk because the workers were locked out of the building where the poll was to be. These, she said, are still considered successful and on-time openings. The Director stated that it had been a really difficult election due to the number of ballot types which needed to be navigated. This made it difficult for the inspectors and the voters. Ms. Haygood said there were situations, particularly in the Sunset, where the "declined to state" ballots were placed in the provisional envelopes. On a positive note, the DOE was able to scan all the absentee ballots by Election Day Eve. There are approximately 15,000 to 16,000 absentee ballots and 6,200 provisional ballots. The Director explained that in the remake process, only the card creating the reading problem is remade - this is about 5,000 cards.

Commissioner Stowers asked for a time estimate when the rest of the ballot count will be completed. Director Haygood replied that it was important to impress upon the community that it is really important to spend the 28 days to canvass and to do it correctly and then close the election.

Commissioner Mendelson asked if the Director was logging all the experiences of this election? Ms. Haygood responded that she was doing so daily, as he had proposed earlier.

Commissioner Shadoian asked the Director to report on how she handled the Feds situation. Ms. Haygood reported that she hired and trained 102 Feds within three days. The Feds were employed from 4 to 5 days.

Commissioner Rosenthal asked how the Department's lack of adequate space

may have affected the election process. The Director answered that the assembling of ballots in one building and then transporting them to another to be taken out by the inspectors "added a level of complexity".

IX. Sheriff's Department Report on March 5, 2002 Election: Chief Vicki Hennessy reported that this election was their first under the mandates of Proposition E and that their primary mission was to provide security to the process by collecting all voted ballots along with the DOE staff. There were 100 deputy sheriffs paired with each Fed plus an additional 30 deputy sheriffs working on closing out ballot and picking up red boxes. The Chief said that their second primary mission was getting the memory packs in to the uplink sites and ensuring that a deputy was present in all areas where live or voted ballots were being processed, stored or transported. Chief Hennessy said that the evening had been "pretty successful".

Public Comment: David Rogers reported that working with the Eagle can be difficult and that the machine is dark inside and it is easy to lose a ballot especially if it doesn't go into the tray properly and gets stuck off to the side. He suggested that Sheriff's Deputies have flashlights and check that there is nothing left in the Eagle; Julie Sue suggested that attorneys and public service employees who work within the City limits be engaged as Feds because it would cause a continuity of the process. Ms. Sue invited the Commissioners to work as inspectors or Feds for just one election and complimented the Director; Speakers Rev. Beth Flanders and Bill Bowen commended the Director and her staff.

VI. Commissioners comments about their observations on March 5, 2002: Commissioner Kenealey reported that the counting wrapped before 12:00 o'clock and that it was remarkable considering the size of the ballot.

Commissioner Rosental said she was very impressed with the Sheriff's team. She said, in answer to one of the speakers' concern, that the deputies had been instructed to check inside the Eagle machines before they took the ballots away.

Commissioner Mendelson observed that people were trained to function well and that the Director had orchestrated the institutional wisdom that the Commission and the DOE needs to carry forward. He stated that the Director's contribution should be logged and that the greatest contribution is the transmittal of information.

Commissioner Schulz said that the size and complexity of the ballot was an issue. The inspectors and poll workers were generally complimentary of the training they received when he asked them about it. He said the bottom line was communications between the Department and the people in the field and that it had been "pretty good". Mr. Schulz expressed his concern over the space problem.

Commissioner Shadoian pointed out the importance of the people in the field and their trainers and thanked them for their hard work. He said that he had been in the "war room" for a long period and observed the handling of the ballots. He tanked the Sheriff's Office and the Department of Parking and Traffic. Mr. Shadoian was critical about public notice and said that he'd like to see more explanations to the public in the future regarding absentee and provisional ballots, and how we do remakes. He said he'd like to see those ballots brought to City Hall rather than go to Pier 29 and circle back. Finally, the Commission expressed the importance of reducing the number of precincts.

Commissioner Stowers reported that she had been tasked with observing the technology behind the election and observed the ballots being counted at City Hall through the viewing window. She said she was very impressed with the process. Her criticism was that absentee ballots need to be remade in public view.

Commissioner Serrano-Sewell said that the Director put together a candidate/campaign briefing the day before the election which he attended. He said it was very well done. As for yesterday's election, the Commissioner stated that it was "a fantastic job" and that everyone had the best interest of the voters in mind. Mr. Serrano-Sewell said that "there is room for improvement and we are going to improve" and that "the community effort was reassuring."

Commissioner Mendelson made a MOTION that "The Commission instruct the Director to commence the search for space to house, under one roof, all elections functions and to report back to the Commission as to the availability, cost, location and other associated factors." PASSED unanimously.

Commissioner Shadoian stated that the Commission needs to be separate from the DOE and perhaps should remain in City Hall.

Public Comment: Joseph McGuire congratulated Director Haygood and her staff. He reported that one of the precincts gave out incorrect ballots and another reported having some confusion about the counting of ballots. The confusion, he said, was caused by not having enough table space at the poll location. The poll workers wanted him to pass their complaint on to the Commission, he said. Mr. McGuire stated that one inspector failed to show up with the ballots at one location and the poll workers were very complimentary of the DOE for getting a new inspector and new ballots to them. Finally, Mr. McGuire suggested that observations on election night be improved so that one observer can see everything in a short amount of time without having to be escorted here and there.

VII. Report by the Standing Committees: Commissioner Mendelson announced that the Personnel Committee would be meeting March 8, 2002 at 12 noon in room 400.

Commissioner Shadoian stated that he hoped the Commission and Department will work with him to work with schools to be more involved in elections education.

President Schulz said that voter turnout should be a future agenda item.

Commissioner Mendelson proposed an agenda item to create a strategic planning committee to make a five-year plan to look at the stress that Proposition A puts on the system.

Director Haygood requested that she work with the Finance Committee on the DOE budget and bring that budget to a Special Commission Meeting next week. Commissioner Rosenthal said that she would work with the members of her committee to see that this happens.

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

"See revised agenda"

NOTICE OF SPECIAL MEETING

DATE: Wednesday, March 13, 2002
TIME: 6:00 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

3. Report by the Budget and Policy Committee. (Discussion and Possible Action)
4. Discussion of the Department of Elections annual budget for Fiscal Year 2002-2003. (Discussion and Possible Action)
5. Discussion on Department of Elections policies. (Discussion and Possible Action)
6. Items for future agendas (Discussion)
14. General Public Comment
15. ADJOURNMENT

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1 Dr. Carlton B. Goodlett Place, Room 409

San Francisco CA 94102-4689;

by phone at 415 554 7724

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING

03-12-02P02118 UCVD

DATE: Wednesday, March 13, 2002
TIME: 6:00 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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3. Report by the Budget and Policy Committee. (Discussion and Possible Action)
4. Discussion of the Department of Elections annual budget for Fiscal Year 2002-2003. (Discussion and Possible Action)
5. Discussion on Department of Elections policies. Possible action to direct the Director to produce a copy of all policies currently in effect that govern the preparation for, and conduct and completion elections in San Francisco. Possible action to suspend these Departmental policies pending review and ratification by the Commission. Possible action to establish a process and timeline for review and ratification of Departmental policies. (Discussion and Possible Action)
6. Items for future agendas (Discussion)

POSTED MARCH 8, 2002

7. General Public Comment

8. ADJOURNMENT

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING

05-13-02002-10 RT/10

DATE: Wednesday, March 13, 2002
TIME: 6:00 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

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6. Discussion and possible action on an Elections Commission report to the Rules Committee of the Board of Supervisors on March 19th, 2002. (Discussion and Possible Action)
7. Items for future agendas (Discussion)
8. General Public Comment

POSTED MARCH 8, 2002

9. ADJOURNMENT

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The Elections Commission

March 13, 2002 (Special)



Department of Elections Elections Commission

APPROVED: 7-17-02

City and County of San Francisco
Elections Commission

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Minutes of the Special Meeting Held
Wednesday, March 13, 2002

I. President Schulz called the meeting to order .

II. COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Brenda Stowers, David Serrano-Sewell, Thomas Schulz, COMMISSION MEMBER ABSENT: Richard Shadoian.

Flag Salute

President Schultz made the following announcements: The DOE is working with the Sheriff to do a debriefing in preparation for the Sheriff's After Action Report, Commissioner Rosenthal will make herself available for this effort; we have a standing invitation from the Post Office to meet for their briefing; the Rules Committee has invited us to speak on April 19th; the Sunshine Task Force has strongly suggested that we meet with them on March 26th; the Redistricting Task Force has scheduled many meetings throughout the City, and Commissioners are asked to attend at least one.

Public Comment: Charles Kalish, an aide to Supervisor Matt Gonzales, said he had been assigned by the Supervisor to help shepherd Proposition A through the Elections Commission with the goal of implementation this November. Chris Bowman, former member of the CACE, said that the CACE in 1999 proposed a change in the lottery procedure for ballot arguments. Charles Marsteller claimed that poll workers witnessed absentee ballots being accepted without checking for signatures and suggested that we ask the Secretary of State give the City a waiver to reduce the number of polls. Mr. Marsteller reminded the Commission that Charter amendments had to be submitted by mid to late May and Ordinance amendments were due soon after that. Peter Fries said applications for Commission Secretary were to be available at 44 Gough Street but were not.

III. and IV. Report by the Budget and Policy Committee: Committee President, Rosenthal explained that the deadline for the baseline budget to the Mayor is March 1st. Ara Manasian has submitted the baseline budget to the Mayor with the exclusion of special projects. The budget is very similar to last year. The committee members did not approve the baseline budget because they need more time to examine it.

Director Haygood requests three more IS personnel be added because we can no longer use City employees to help out on election day and the Director feels it is important to have these workers year-round.

President Schulz asked why the Commission had to have the budget go through the Mayor's Office. Director Haygood responded that it was because the Mayor proposes the budget and the Board modifies and approves it.

The Budget and Policy Committee was not able to approve the budget in time for this meeting but plans to do so before the next full Commission Meeting.

Ms. Rosenthal stated that the Mayor has requested that all departments decrease their baseline budgets by 10 per cent and those departments have to come up with recommendations outlining from where that cut might come. Much of what the Elections Department does is mandated by law. It would be extremely difficult to come up with a ten per cent cut. One example is the mandated use of Sheriffs on election day.

Director Haygood explained that the 10 percent should be interpreted as "If the money simply does not exist, how would you make do?"

President Schulz stated that the cost of recanvassing the November 2000 ballots was not shown in this budget. Ms. Rosenthal said that this would be requested as a supplement appropriation request.

Ms. Rosenthal said that the Committee discussed an increase in fee revenues and that the Director was to get back to them with an answer to the question of whether or not we can eliminate discounts and increase fees for submission of initiatives, ballot arguments and candidates. Currently the department is granting deep discounts. The Committee will be able to give the Commission a recommendation after the Committee's next meeting.

The Budget and Policy Committee voted to recommend that the November 2000 ballots be moved from where they are currently being stored to a bonded security location. Currently a Sheriffs Deputy is watching these ballots 24 hours a day, at great cost the department. The Director didn't want to move the ballots in light of the States' proposed investigation and deferred to the Committee whether to move them to a more secure location. The November 2002 ballots are currently stored in such a bonded location. President Schulz asked the Director if there was any reason, other than the possible recanvassing, for retaining the November 2000 ballots? The Director responded that she believed the statutory requirements for the ballots had expired. The President stated that his opinion was that we need to resolve the recanvassing and then destroy the ballots. Commissioners Kenealey and Rosenthal explained that the environment at Pier 29 was not conducive to preserving paper ballots due to the dampness there. The Commission voted "Yes" unanimously that the Director use her discretion to investigate the cost savings of moving the ballots to a new location or having them moved into containers at their current location.

Public Comment: Peter Fries suggested moving the ballots to a location where the Sheriff already exists like the Hall of Justice? President Schulz added that he thought there was a location on Treasure Island that was also guarded by the Sheriff's Department.

Commissioner Rosenthal stated that consolidating space was a priority for the Elections Department and this would eliminate the need for Pier 29.

There is the possibility for using Proposition 41 funds to help implement touch screen voting, Rosenthal stated, however the amount needed is not yet known. ES&S, the

Department's current vendor, says that it would be extremely difficult to write and implement the software within the guidelines in time for this November.

The Budget and Policy Committee also discussed increasing the head count in MIS by three as suggested by the Director. The Director also suggested a community outreach to help make voters with a second language feel more comfortable with voting.

President Schulz asked the Director what was the number of voters per precinct? Ms. Haygood answered that currently the number is 1000 but that there is legislation to increase that number to 1200. The Director suggested that the reprecincting be a public process.

The Budget and Policy Committee Chair introduced the Director's suggestion of an Election Academy to train election officers once each month to provide a pool of officers ready to go at election time. The means of paying for these training is still being considered. Ms. Haygood said that working as an election officer should be a "civic" activity and not a "job" and she wants to promote it as such. With ongoing election training, we will have more experienced officers.

Finally, the Budget and Policy Committee discussed the translation and transliteration of candidates names into Chinese names. t. The Committee voted to recommend that we hold hearings on this issue and invite the public to speak.

President Schulz stated that this would be our first test case. It was suggested that the Commission hold hearings to formulate a policy dealing with Chinese/ English translation at a date to be determined and that the Budget and Policy Committee oversee the hearings. Commissioner Mendelson suggested that other languages may be included and that the City Attorneys' office look into the legal rules involved and the Commission look into applying those rules to other groups. For example, there's a Supreme Court ruling that the race of a candidate not be indicated on a ballot.

Commissioner Rosenthal stated that before hearings are to be held, we need a City Attorney opinion regarding the existing policy.

Commissioner Serrano-Sewell asked what was decided regarding Instant Run Off Voting - is the Budget and Policy Committee to hold hearings or is the full Commission to hold hearing? Which group is to work with Supervisor Gonzales' office? He also asked to see a sample ballot at the hearing.

Public Comment: Steven Hill stated that optical scan voting needs to be used for the IRV, additionally, absentee ballots will need to be scanned. Another (unidentified) speaker stated that by reducing the number of precincts by 200, we would save \$74,000 per election in pay for inspectors and three clerks. There would be additional savings in training, rental of poll places, etc. And by having fewer poll workers, those remaining could be better trained. Joseph McGuire said that cleaning the voter rolls should be a priority and this can lower costs over the long run.

Director Haygood said that the DOE cleans the rolls on a monthly basis by going over to the Department of Health and using their files. There are other methods she is looking into for purging voter files.

Public Comment: Charles Kalish said the ES&S's RFP stated that all subscribers to their service were entitled, for no additional charge, all software upgrades that are mandated by law. The requirement that the City implement the IRV system is legally mandated.

V. Discussion on Department of Election Policies: It was MOVED to instruct the Director to provide the Chair of the Budget and Policy Committee and the President of the Commission with all policies that govern the department, that are written and

on hand currently, to the Committee and Commission by the next meeting and that the Chair examine and divide these policies into various divisions and return these to the Commission for consideration. The vote was: Keneally/Yes, Rosenthal/No, Mendelson/Yes, Schulz/Yes, Stowers/Yes, Serrano-Sewell/No. MOTION PASSED.

VI. Discussion and possible action on an Elections Commission report to the Rules Committee of the Board of Supervisors on April 16, 2002: Commissioner Rosenthal reported that after speaking to a staff member of Tony Hall's office, she learned that the presentation could be open ended, and that they want to hear the Commission's thoughts about progress so far and any report the Commission wishes to give about how the March election went. The staff member also said that the report date is fixable. It was agreed to hold this item over to the next agenda.

Adjournment at 8:25 pm.

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

7
102
cancelled notice
cancelled notice

"see cancelled notice"

NOTICE OF MEETING

DOCUMENTS DEPT.

DATE:
TIME:
LOCATION:

Wednesday, March 20, 2002
7:00 p.m.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

MAR 18 2002

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Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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3. Approval of Minutes from meetings held on 2/19/02, 2/20/02, 2/22/02, and 3/6/02.
4. Report by the Director of Elections. (Discussion and Possible Action)
5. Report by the Budget and Policy Committee. (Discussion and Possible Action)
 - Report on the Status of the Department of Elections Budget for Fiscal Year 2002-2003.
 - Discussion on Department of Elections Policy compilation.
6. Report by the Personnel Committee. (Discussion and Possible Action)
 - Report on the search for a Commission Secretary.
 - Report on the search for the Director of Elections.
7. Discussion of the March 5th, 2002 Primary Election. (Discussion and Possible Action)
 - Comments from the Secretary of State's Office.
 - Discussion of the Sheriff support in the March 5 Election.
8. Discussion on reporting to the Sunshine Ordinance Task Force. (Discussion and Possible Action)

POSTED MARCH 15, 2002

9. Discussion and possible action on an Elections Commission report on the March 5, 2002 Election to the Rules Committee of the Board of Supervisors on April 16th, 2002.
(Discussion and Possible Action)
10. Items for future agendas (Discussion)
11. Administrative Items (Commissioners Biographies, Vacation schedules, Business cards).
12. General Public Comment
13. ADJOURNMENT

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Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF CANCELLED MEETING

DATE: Wednesday, March 20, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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MAR 19 2002

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THIS MEETING HAS BEEN CANCELLED

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03-19-02P01:15 RCD

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF MEETING

03-20-02P04:47 RCVD

DATE: Wednesday, April 3, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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MAR 20 2002

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Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

3. Approval of Minutes from meetings held on 2/19/02, 2/20/02, 2/22/02, and 3/6/02.
4. Report by the Director of Elections. (Discussion and Possible Action)
5. Report by the Budget and Policy Committee. (Discussion and Possible Action)
 - Report on the Status of the Department of Elections Budget for Fiscal Year 2002-2003.
 - Discussion on Department of Elections Policy compilation.
6. Report by the Personnel Committee. (Discussion and Possible Action)
 - Report on the search for a Commission Secretary.
 - Report on the search for the Director of Elections.
7. Discussion of the March 5th, 2002 Primary Election. (Discussion and Possible Action)
 - Comments from the Secretary of State's Office.
 - Discussion of the Sheriff support in the March 5 Election.
8. Discussion on reporting to the Sunshine Ordinance Task Force. (Discussion and Possible Action)

POSTED MARCH 20, 2002

9. Discussion and possible action on an Elections Commission report on the March 5, 2002 Election to the Rules Committee of the Board of Supervisors on April 16th, 2002.
(Discussion and Possible Action)
10. Items for future agendas (Discussion)
11. Administrative Items (Commissioners Biographies, Vacation schedules, Business cards).
12. General Public Comment
13. ADJOURNMENT

Disability Access

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by mail to:

Administrator, Sunshine Ordinance Task Force

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ELECTIONS COMMISSION

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Brenda Stowers

NOTICE OF MEETING

DATE: Wednesday, April 3, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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MAR 29 2002

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Order of Business:

05-29-02P12:17 ACVD

1. Call to Order, Roll Call, & Pledge of Allegiance
2. Discussion and possible approval of minutes from meetings held on 2/19/02, 2/20/02, 2/22/02, and 3/6/02.
3. Report from Commission President on status of:
 - a) Mission Statement, Goals and Objectives for Commission.
 - b) Sunshine Ordinance Task Force Complaints.
 - c) Proposed By-laws. (Discussion and Possible Action).
 - d) An Elections Commission report by August on the status of the CACE (Citizens Advisory Committee on Elections). San Francisco Elections Code Section 760. (Discussion and Possible Action).
4. Report by the Director of Elections on status of:
 - a) Budget hearings and Board of Supervisors' action on the supplemental budget request.
 - b) Board action to release funds for the Elections Task Force on Redistricting.
 - c) Board Resolution directing the Department of Elections to rectify shortcomings in the Electoral Process made evident in the March 5 Primary Elections, and to report to the Board of Supervisors no later than March 28, 2002.
 - d) Preparations to report to the Secretary of State by April 16, 2002 concerning discrepancies identified in the November 2000 election.
 - e) Presentation by the Director of Elections of the Director's Performance Evaluation Format.
 - f) Presentation by the Director of Elections of the Director's Goal and Objectives.
5. Report by the Budget and Policy Committee. (Discussion and Possible Action).
 - Report on the Status of the Department of Elections Budget for Fiscal Year 2002-2003 and the supplemental Budget request for Fiscal Year 2001-2002.

POSTED MARCH 29, 2002

6. Report by the Personnel Committee. (Discussion and Possible Action)
 - Report on the search for a Commission Secretary.
 - Report on the search for the Director of Elections.
7. Continuation of Discussion of the conduct of the March 5th, 2002 Primary Election. (Discussion and Possible Action).
 - Report from members of the Logic and Accuracy Panel and discussion of report.
 - Report from ES&S (Elections Systems and Software) and discussion of report.
 - Report from nominees to the CACE (Citizen's Advisory Committee on Elections) and discussion of report.
 - Report from the Sheriff and discussion of report.
8. Discussion of request by the Rules Committee of the Board of Supervisors for a report on April 16, 2002 on the state of the Elections Commission. Possible action concerning preparation and presentation of the report to the Rules Committee. (Discussion and Possible Action).
9. Discussion and possible action to request that the Budget Analyst of the Board of Supervisors conduct an audit and report on expenditures made by the Department of Elections in fiscal year 2001-2002. (Discussion and Possible Action).
10. Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation and determination of employment status (Director of Elections, Tammy Haygood).
11. Discussion and Possible Action re: Disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee performance evaluation and determination of employment. (Director of Elections, Tammy Haygood).

12. Items for Future Agendas. (Discussion only).

This is an opportunity for members of the Elections Commission to propose items for discussion and possible action at future meetings. There will be no action taken at this time. In addition to items proposed at the meeting, Commissioner Tom Schulz suggests the following items for future agendas:

- a) Discussion and possible action to require that the Director of Elections and the City Attorney report at Commission meetings on correspondence, legal opinions and policy memoranda provided to the Department of the Commission since the last Commission meeting.
- b) How should the Commission handle and respond to public complaints about the Department and Commission's actions allegations of unethical and/or illegal actions?
- c) Implementation of Proposition A.

(Discussion of these items will be limited as to their inclusion on agendas for future meetings).

13. Report by Jeremy Eckstein on Administrative matters including Commissioners Biographies, Vacation schedules, Business cards, Website, E-mail addresses, Contacting commissioners, and Mail delivery.

14. Public comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

15. ADJOURNMENT

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The Elections Commission

April 03, 2002



Department of Elections
Elections Commission

APPROVED: 7-17-02

City and County of San Francisco
Elections Commission

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Minutes of the Meeting Held
Wednesday, April 3, 2002

1. President Schulz called the meeting to order at 7:23 pm.

COMMISSION MEMBERS PRESENT: Thomas Schulz, Alix Rosenthal, Michael Mendelson, Richard Shadoian, David Serrano-Sewell.

COMMISSION MEMBERS ABSENT WERE: Brenda Stowers, Robert Kenealey.

Flag Salute

2. Approval of Minutes: Minutes for 2/19/02, 2/20/02 and 2/22/02 were approved.

3. President's Report: President Schulz reported that the Mission Statement and the Commission's Goals and Objectives will be part of the proposed By Laws. On Tuesday, March 26th the Sunshine Task Force determined that the complaints against the Elections Commission did not allege violations of law, and the Task Force dismissed the complaints. The CACE now has a quorum and will begin soon. As a future agenda item, the Commission will discuss the relationship between the CACE and the Commission.

Item # 7 from the Sheriff's department, their After Action Report, will be moved to a future agenda at their request.

Director Haygood and the President made statements before the Rules Committee indicating that we will work with ES&S to implement Prop. A as soon as possible.

Public Comment: Peter Fries - asked if Robert's Rules of Order will be followed by the Commission.

3. Director's Report: Director Haygood presented Steve Kava, the Mayor's Deputy Chief of Staff, who gave a brief history of supplemental appropriation requests of the Board of Supervisors.

4. Report by the Director on the status of the budget: Mr. Kava reminded the Commission that the 2003 budget must take into account that the Sheriff's Department will not be able to provide security because the office of Sheriff will be on the ballot. He said that the Board of Supervisors and the Mayor were aware of this concern and that everyone knows that Proposition E will be expensive to implement.

Commissioner Rosenthal asked Mr. Kava, that considering the Mayor's request to cut expenses by 10%, should the Commission budget for a runoff after November or ask for a supplemental when it's known for certain that there will be a runoff. Mr. Kava said he understood that this was a difficult decision and it's easy to "Monday morning quarterback" after something has occurred; he said that the Mayor's office was available to help in any way the Commission needed. President Schulz asked if Mr. Kava would be available to attend future Budget and Policy Committee meetings. Mr. Kava said that he would make members of his office available.

The Director asked that the request to ask the Board to release funds for the Elections Task Force on Redistricting be postponed. She explained some difficulties in bi-lingual ballots. She will be making a status report detailing the RFP for the Secretary of State to be signed off by the Commission, the City Attorney and herself well before the deadline (April 16, 2002). Director Haygood provided a list of goals and objectives for the Director of Elections' position. Commissioner Shadoian expressed his concern that these were not delivered to the Commissioners by the Director until today. He stated that they were due two weeks ago. Today's closed session is to review these and the Commissioners haven't had an opportunity to see them before today. Ms. Haygood said that the minutes of the previous meeting said that these materials were to be provided at the next Commission Meeting and that this was the next Commission Meeting. Commissioner Shadoian reminded the Director that the next meeting had been cancelled and that if the materials were available for that meeting, they should have been given to the members earlier than at this current meeting. He asked the President to again remind the Director that Commissioners need to get her materials early enough to read and digest the information, not at 8:00 pm the evening of the meeting.

The Director reviewed the handout of her prepared Goals and Objectives .

5. Commissioner Mendelson reported on the progress of the searches for Commission Secretary and the Director of Elections, as mandated. He said he hopes to report on the Secretary position at the next meeting or the one after. Regarding the Director search, the process continues.

CLOSED SESSION: It was reported that the Commission would continue these discussions at a closed session next week.

6. Report of the Logic and Accuracy Panel: Carolyn Burke stated that she had been assigned to the committee and after research, 5 - 6 sessions, training, observations, and signing off on a necessary document, she's determined that she was not qualified to be on the committee. Commissioner Mendelson asked Ms. Burke if she had to sign off on the document under penalty of perjury? Ms. Burke answered that if she did not have that statement but that the statement, which she couldn't now recall, made her very nervous. She was not provided a copy and was not told what would be the disposition of the document.

Joseph McGuire, of the CACE, presented two pages of a typed report which he asked the Commission to give to the Board of Supervisors when the Commission made its report on March 16. Pres. Schulz said the report would be considered for presentation.

Report from the Budget and Policy Committee: Commissioner Rosenthal reported that the Committee discussed both the Annual Budget for 2002-03 and the supplemental which were both partially accepted by the Board of Supervisors over the past two weeks. The acceptable amounts were discussed with the Director as well as plans for getting funds for those items not approved. Discussions about the annual budget were begun. No action was taken. There is another meeting to discuss these items in more detail not week.

Commission Matters: President Schulz stated that the Commission has received many letters and complaints from the public and the Commission needs to discuss what is within its control to resolve.

President Schulz asked the acting secretary, to schedule several "Special Meetings" to help the Commission cover all the items it needs to cover.

Commissioner Shadoian stated that he wanted to establish some "special blue ribbon panels" to assist the Commission.

The request that the Budget Analyst of the Board of Supervisors conduct an audit and report on the expenditures made by the Department of Elections in fiscal year 2001-2002 (Item # 9.) was postponed.

Public Comment: Roger Wedemeyer spoke regarding "a drift away from Proposition A"; Chris Bowman mentioned that the number of ballots stuck in the voting machines in November were far greater than those in the recent March election.

ADJOURNED

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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF MEETING

DATE: Wednesday, April 17, 2002
TIME: 7:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance.
2. Approval of Minutes from meeting held on 3/6/02.
3. Report by Commission President Tom Schulz:
 - a. Status and scheduling of Performance Evaluation of the Director of Elections.
 - b. Discussion and possible action to adopt a "Mission Statement, Goals & Objectives for Elections Commission."
 - c. Discussion of "Leadership of, and Loyalty to, the Election Commission."
 - d. Discussion and possible action on the request by the Rules Committee of the Board of Supervisors that the Elections Commission make a presentation at the May 7, 2002 Rules Committee meeting.
4. Discussion and possible action on the status of the Department of Elections' report to the Secretary of State on irregularities identified by the Secretary of State in the November 2000 election.
5. Report from the Secretary of State's representative John Mott Smith re: recommendations for next steps of the Department of Elections, review and improvement of Elections administration. (Discussion and possible action).
6. Report from the Budget and Policy Committee:
 - a. Discussion and possible action to approve submission of baseline budget for Fiscal Year 2002-2003.
 - b. Discussion and possible action re: Supplemental Budget Request for Fiscal Year 2001-2002.
7. Closed Session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8. Discussion and possible action regarding Public Employee Appointment/Hiring (Elections Commission Secretary).

POSTED April 12, 2002

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8. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee appointment/hiring of Elections Commission Secretary.

9. Discussion and Possible Action to direct the Department of Elections to support the Commission and Commission Secretary by providing office space, furniture, computer, phones, etc. Presentation by Personnel Committee Chairperson Michael Mendelson.
10. Discussion and Possible Action re: the search for a new Director of Elections. Presentation by Personnel Committee Chairperson Michael Mendelson and report from the Human Resources Department on progress made to date on the Commission request of 1/24 for the creation of a new job description for the Director of Elections.
11. Written report from the Director of Elections on the status of the Department full time and temporary staff (retention/termination, conversion, etc.) on a weekly basis since the March 5, 2002 Election. (Discussion and possible action).
12. Discussion and possible action to adopt Commission Bylaws. Presentation by Commissioner Michael Mendelson.
13. Discussion and possible action to implement Instant Runoff Voting (Proposition A, adopted March 5, 2002). Possible assignment of Commissioner to take lead on implementation issues.
14. Continuation of discussion and possible action re: conduct of the March 5th, 2002 Primary Election. Presentation by the Director of Elections (handout distributed at 4/3/02 meeting). Presentation by the Sheriff (handout distributed at 4/17/02 meeting).
15. Discussion of items for Future Agendas. This item is designed to allow Commissioners to raise issues they believe the Commission should address at future meetings. There will be no discussion of these items at this time.
 - Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation and possible termination of Director of Elections, Tammy Haygood.
16. Public comment on matters appearing or not appearing on the agenda that is within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

18. ADJOURNMENT

POSTED April 12, 2002

Please note that the Commission may need to continue this meeting. If necessary, the meeting will be continued in Room 408 (City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102) on Thursday, April 18, 2002 at 7:30pm. The determination whether to continue this meeting will be made by the Elections Commission during this meeting.

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The Elections Commission

April 17, 2002

Department of Elections

Elections Commission

APPROVED: 7-17-02

City and County of San Francisco

=Elections Commission

=Minutes of the Meeting Held

Wednesday, April 17, 2002

7:00 pm



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I. President Schulz called the meeting to order .

COMMISSION MEMBERS PRESENT: Thomas Schulz, Alix Rosenthal, Michael Mendelson, Richard Shadoian, David Serrano-Sewell, Brenda Stowers.

COMMISSION MEMBER ABSENT: Robert Kenealey.

Flag Salute

2. Approval of Minutes: There were no minutes for approval.

3. President's Report: President Schulz reported that work continues on the criteria for the Performance Evaluation of the Director of Elections.

Public Comment:

Charles Kalish, Robert Arnow, Lucy Koven, David Feerberg, Matt Spencer, David Rogers, Bradley Wedemeyer, and Steven Hill spoke regarding immediate implementation of Proposition A.; Andre Spearman spoke regarding former employees' being laid off due to budget limitations; Peter Fries spoke regarding his not receiving his requested agendas via mail in a timely manner; Chris Bowman expressed his concerns regarding the new redistricting; Doug Comstock asked that meeting documentation be maintained past the usual deadline because of historic value; James Bryan objected to one member of the Redistricting Task Force.

President Schulz asked for legal advise concerning role of the Commission in relation to the Redistricting Task Force now that the Task Force's work has been completed. The Deputy City Attorney Julie Moll agreed to provide this advice.

The By Laws draft was tabled for further discussion.

Director Haygood reported that space has been identified for the Commission office and its Secretary.

Public Comment: Peter Fries spoke about the differences between Goals and Objectives, Mission Statements, and By Laws.

4. Director Haygood reported that she has provided the State with her interim report of the recanvass of the November 2000 and 2002 elections. Ms. Haygood stated that she has a step by step plan for this procedure and that the President of the Board of Supervisors is on board to provide the funding necessary. President Schulz reminded the Director that the Commission is on record as not supporting funding for the recanvassing and that the Commission wants no money spent on "past" works - money should be used for the "future" work that needs to be accomplished. Ms. Haygood agreed to provide an amendment to her letter to the State that includes the Commission's stand on this issue. President Schulz said that the Director may present her recanvassing proposal to the Budget Committee again.

5. John Mott Smith, representative from the Secretary of State's Office, complimented the staff of the DOE for their professionalism and the help he was given during his time at the office. He offered a representative to come to the DOE and help with the Commission's Mission, Goals and Objectives if the Commission wished. He suggested that the Commission look at other large American cities who have boards of elections to see what they have done, for example, Chicago or New York. Mr. Smith offered to bring to the DOE a management expert in personnel and structure at the expense of the State if the Department would like to take advantage of the offer.

Commissioner Mendelson asked if the State would help us expedite IRV. Mr. Smith said that they've (the State) taken a review of IRV but the vendor needs to make an application to the State for certification.

6. Budget and Policy Committee Report: Committee President Rosenthal stated that the Committee's meeting lasted over five hours on Monday, and there were many questions for Ms. Haygood and Mr. Manassian. The answers to most of those questions have been provided in a memo today.

Commissioner Mendelson asked Ms. Moll if she could look into getting an opinion from the Attorney General regarding the legality of the IRV initiative.

Commissioner Rosenthal asked that the approval of the Budget be put on the full Commission agenda for next Monday.

Commissioner Shadoian asked in what phase of the budget process was the Commission? Mr. Manassian replied that there are phases A,B,C and D. The Commission is now at phase C.

Public Comment: Doug Comstock said he felt there was no need for a Public Information Officer and that eliminating or reducing discounts for paid ballot arguments was not fair. Chris Bowman spoke against taxpayers having to subsidize ballot arguments. He said we are the only county in the State with paid arguments. Frederick Hobson agreed. Steven Hill suggested that estimates for run offs be included in budgets and said that other cities do this.

Director Haygood said that she truly believes that IRV cannot be implemented in November 2002. The money being requested is for 2003.

CLOSED SESSION

It was moved a approved to make an offer of employment as Commission Secretary to Ms. Shirley Rodriques subject to the requisition being approved and Ms. Rodriques' availability. The vote was unanimous.

The Commission decided not to reveal other discussions from the Closed Session.

9. Commissioner Mendelson reported that he had met with the Director and approved the space she offered for the Commission Office and asked her to provide the necessary furniture and equipment for the Commission to function.

10. Commissioner Mendelson explained the process for the search for a new Director of Elections, that he has been meeting with Joan Lubermersky of DHR and it's estimated that the search will take 2 to 6 months.

11. Director Haygood presented her written report of the full and temporary staff for the current week. Commissioners responded that they would need to read the report before comments. Comments are to be made at a later meeting.

12. The latest draft of the By Laws was presented. Copies were distributed to the Commissioners. The By Laws will be discussed at a future meeting.

Public Comment: Peter Fries commented that even drafts need to be provided to the public before meetings.

13. President Schulz appointed Commissioner Brenda Stowers to take over the project of researching the IRV implementation. Ms. Stowers asked the Directors to contact all vendors and request that they respond within two weeks with their costs and procedures to implement Proposition A for 2002 - 2003, and to let the Commissioner know if two weeks will not be enough time. Commissioner Stowers also asked the Director to work with the City Attorney and the Secretary of State in the implementation. It was MOVED that the directives requested by Commission Stowers be adopted. PASSED.

14. President Schulz reported that the Sheriff's After Action Report would be ready for the next Commission meeting. Director Haygood reported that the final canvas was complete on April 2nd and that documentation would be forwarded to the Commission.

Public Comment: David Rogers suggested that the Commission seek a volunteer to write grants and that once there's success, The Commission can go to the Board to show that money should be spent to fund a grant writer. Mr. Rogers also suggested that the absentee ballots be photographed with time date stamps. Unidentified speaker suggested that Closed Sessions be scheduled at the beginning or end of the Commission's meetings for the public's convenience, with an idea for how long the session will last.

Commissioner Shadoian asked that a letter be sent to thank the Redistricting Task Force for their work.

MEETING ADJOURNED

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ELECTIONS COMMISSION

City and County of
San Francisco



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING

DATE: Thursday, April 18, 2002
TIME: 7:30 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Please note that the Commission may need to continue its meeting from April 17, 2002, Room 400 at this posted special meeting. The determination whether to hold this special meeting will be made by the Elections Commission during its meeting on April 17, 2002, Room 400.

Order of Business:

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1. Call to Order, Roll Call, & Pledge of Allegiance.
2. Approval of Minutes from meeting held on 3/6/02.
3. Report by Commission President Tom Schulz:
 - a. Status and scheduling of Performance Evaluation of the Director of Elections.
 - b. Discussion and possible action to adopt a "Mission Statement, Goals & Objectives for Elections Commission."
 - c. Discussion of "Leadership of, and Loyalty to, the Election Commission."
 - d. Discussion and possible action on the request by the Rules Committee of the Board of Supervisors that the Elections Commission make a presentation at the May 7, 2002 Rules Committee meeting.
4. Discussion and possible action on the status of the Department of Elections' report to the Secretary of State on irregularities identified by the Secretary of State in the November 2000 election.
5. Report from the Secretary of State's representative John Mott Smith re: recommendations for next steps of the Department of Elections, review and improvement of Elections administration. (Discussion and possible action).
6. Report from the Budget and Policy Committee:
 - a. Discussion and possible action to approve submission of baseline budget for Fiscal Year 2002-2003.
 - b. Discussion and possible action re: Supplemental Budget Request for Fiscal Year 2001-2002.

POSTED April 11, 2002

7. Closed Session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8. Discussion and possible action regarding Public Employee Appointment/Hiring (Elections Commission Secretary).
8. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee appointment/hiring of Elections Commission Secretary.

9. Discussion and Possible Action to direct the Department of Elections to support the Commission and Commission Secretary by providing office space, furniture, computer, phones, etc. Presentation by Personnel Committee Chairperson Michael Mendelson.
10. Discussion and Possible Action re: the search for a new Director of Elections. Presentation by Personnel Committee Chairperson Michael Mendelson and report from the Human Resources Department on progress made to date on the Commission request of 1/24 for the creation of a new job description for the Director of Elections.
11. Written report from the Director of Elections on the status of the Department full time and temporary staff (retention/termination, conversion, etc.) on a weekly basis since the March 5, 2002 Election. (Discussion and possible action).
12. Discussion and possible action to adopt Commission Bylaws. Presentation by Commissioner Michael Mendelson.
13. Discussion and possible action to implement Instant Runoff Voting (Proposition A, adopted March 5, 2002). Possible assignment of Commissioner to take lead on implementation issues.
14. Continuation of discussion and possible action re: conduct of the March 5th, 2002 Primary Election. Presentation by the Director of Elections (handout distributed at 4/3/02 meeting). Presentation by the Sheriff (handout distributed at 4/17/02 meeting).
15. Discussion of items for Future Agendas. This item is designed to allow Commissioners to raise issues they believe the Commission should address at future meetings. There will be no discussion of these items at this time.
 - Closed session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8, discussion and possible action, Public Employee Performance Evaluation and possible termination of Director of Elections, Tammy Haygood.
16. Public comment on matters appearing or not appearing on the agenda that is within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on

items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

18. ADJOURNMENT

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

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1 Dr. Carlton B. Goodlett Place, Room 409

San Francisco CA 94102-4689;

by phone at 415 554 7724

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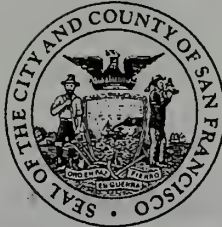
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ELECTIONS COMMISSION

*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF CANCELED MEETING

DATE: Thursday, April 18, 2002
TIME: 7:30 p.m.
LOCATION: City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Please note that this meeting has been
canceled.**

Please note that the Commission may need to continue its meeting from April 17, 2002, Room 400 at this posted special meeting. The determination whether to hold this special meeting will be made by the Elections Commission during its meeting on April 17, 2002, Room 400.

Order of Business:

1. Call to Order, Roll Call, & Pledge of Allegiance.
2. Approval of Minutes from meeting held on 3/6/02.
3. Report by Commission President Tom Schulz:
 - a. Status and scheduling of Performance Evaluation of the Director of Elections.
 - b. Discussion and possible action to adopt a "Mission Statement, Goals & Objectives for Elections Commission."
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 - d. Discussion and possible action on the request by the Rules Committee of the Board of Supervisors that the Elections Commission make a presentation at the May 7, 2002 Rules Committee meeting.
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5. Report from the Secretary of State's representative John Mott Smith re: recommendations for next steps of the Department of Elections, review and improvement of Elections administration. (Discussion and possible action).

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POSTED April 18, 2002

6. Report from the Budget and Policy Committee:
 - a. Discussion and possible action to approve submission of baseline budget for Fiscal Year 2002-2003.
 - b. Discussion and possible action re: Supplemental Budget Request for Fiscal Year 2001-2002.
7. Closed Session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance section 67.8. Discussion and possible action regarding Public Employee Appointment/Hiring (Elections Commission Secretary).
8. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee appointment/hiring of Elections Commission Secretary.

9. Discussion and Possible Action to direct the Department of Elections to support the Commission and Commission Secretary by providing office space, furniture, computer, phones, etc. Presentation by Personnel Committee Chairperson Michael Mendelson.
10. Discussion and Possible Action re: the search for a new Director of Elections. Presentation by Personnel Committee Chairperson Michael Mendelson and report from the Human Resources Department on progress made to date on the Commission request of 1/24 for the creation of a new job description for the Director of Elections.
11. Written report from the Director of Elections on the status of the Department full time and temporary staff (retention/termination, conversion, etc.) on a weekly basis since the March 5, 2002 Election. (Discussion and possible action).
12. Discussion and possible action to adopt Commission Bylaws. Presentation by Commissioner Michael Mendelson.
13. Discussion and possible action to implement Instant Runoff Voting (Proposition A, adopted March 5, 2002). Possible assignment of Commissioner to take lead on implementation issues.
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16. Public comment on matters appearing or not appearing on the agenda that is within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

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*City and County of
San Francisco*



Thomas Schulz, President
Richard Shadoian, Vice President
Robert Kenealey
Michael Mendelson
Alix Rosenthal
David Serrano-Sewell
Brenda Stowers

NOTICE OF SPECIAL MEETING

04-18-02 PM 3:43 8690

DATE: Monday, April 22, 2002
TIME: 4:00 p.m.
LOCATION: City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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APR 18 2002

Order of Business:

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1. Call to Order, Roll Call and Pledge of Allegiance.
2. Public Comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

Note: The Commission will hear public comment on each item on the agenda before or during consideration of that item. At this time members of the public may address the Commission on items that are within the subject matter jurisdiction of the Elections Commission and that do not appear on the agenda.

3. Closed Session pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance Section 67.8 : Discussion and possible action regarding PUBLIC EMPLOYEE PERFORMANCE EVALUATION Director of Elections, Tammy Haygood. Discussion and possible action regarding PUBLIC EMPLOYEE DISMISSAL. Number of employees affected 1. Discussion and possible action regarding PUBLIC EMPLOYEE APPOINTMENT/HIRING Interim Director of Elections.
4. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee performance evaluation.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee dismissal.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee appointment/hiring.

POSTED April 18, 2002

5. Report from the Budget and Policy Committee:
 - a. Discussion and possible action to approve submission of baseline budget for fiscal year 2002-2003.
 - b. Discussion and possible action re: Supplemental Budget Request for fiscal year 2001-2002.
6. Election of a new President of the Commission. (Discussion and possible action)
7. Appointment to Personnel Committee (Discussion and possible action).
8. Discussion and possible action to commend the Elections Taskforce on a job well done.
9. Discussion of items for future agendas. This item is designed to allow Commissioners to raise issues they believe the Commission should address at future meetings. There will be no discussion of these items at this time.
10. Public Comment comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.
11. ADJOURNMENT

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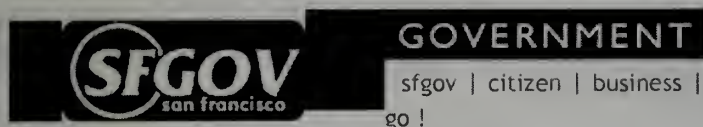
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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

April 22, 2002 (Special)

Department of Elections
Elections Commission



APPROVED: 7-17- 02

City and County of San Francisco
Elections Commission

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Minutes of the Special Meeting Held
Monday, April 22, 2002

APR 12 2004

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1. Called to order at 4:10 pm , Roll Call and Pledge of Allegiance.

COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Brenda Stowers, Thomas Schulz, Richard Shadoian.
ABSENT: None.

2. Public Comment - Lula Jackson, Debra Brown, Peter Cohn, Robin Ho, Maryanne Martinez, Frederick Hobson, Charlie Walker, Shelly Bell, James Bryant, spoke in support of Director Haygood, Chris Bowman stated that the currently approved redistricting plan was ?lacking? and spoke in favor of the Director and other Elections Department employees.

Unidentified person asked the Deputy City Attorney whether Ms. Haygood can call for a public hearing. Linda Ross, from the City Attorney's office responded. She said that after looking at the Sunshine Ordinance, the Brown Act and case law, ?the Commission has the right to go into a closed session to do a performance evaluation or to consider a dismissal of a public employee. It is only in the case of charges of misconduct that a public employee has the right to a public hearing.?

Director Haygood stated that she would like for the public to hear any allegations or statements that the Commission would use to dismiss her from her position.

3. CLOSED SESSION

4. Commissioner Schulz announced that the Commission decided in Closed Session that it no longer wishes to have Tammy Haygood continue as Director of Elections; the decision is effective immediately. Roll Call Vote: Kenealey ? No; Rosenthal ? Yes; Mendelson ? Yes; Schulz ? Yes; Shadoian ? Yes; Stowers ? No; Serrano-Sewell ? No.

It was MOVED to not disclose other information about the Closed Session.
Vote was unanimous.

President Schulz announced that the Commission will follow established procedures for finding an Acting Director. Per DHR, there is an active list. The Personnel Committee and the full Commission will meet on Monday to discuss the procedure.

Commissioner Rosenthal asked the President to offer Ms. Haygood the opportunity to make a statement, if she wished. Ms. Haygood declined the offer.

Public Comment: Chris Bowman spoke about the process and against the potential hiring of Dr. Phil Perris from the current list; Peter Fries spoke regarding the Commission's lack of good advice; Shelly Bell quoted from the Brown Act regarding the right of employees being dismissed in a close session; David Rodgers, Helena Brook and Fredrick Hobson, asked that reasons be given for dismissal of the Director.

5. Report from the Budget and Policy Committee ? Commissioner Rosenthal requested that this item be postponed until next week. Ara Manasian asked if just the report on the baseline budget can be approved at this meeting so that it can be passed on to the Mayor's office.

It was MOVED to pass the baseline budget that was approved by the Budget and Policy Committee and to pass it on to the Mayor's office. PASSED unanimously.

6. Election of a new President of the Commission. President Schulz asked that the Commission accept his resignation, due to health issues in his family. The other members thanked him for his service over the first months of the Commission's existence. Vice President Shadoian asked for nominations for President. Commissioner Kenealey nominated Michael Mendelson. It was MOVED to vote in Mr. Mendelson as president. PASSED unanimously.

7. Appointment to Personnel Committee. President Mendelson appointed Commissioner Thomas Schulz to the Personnel Committee.

8. The Commission formally thanked the Elections Task Force for meeting their directive and completing their job in a timely fashion. The President is to compose a letter of thanks to the Elections Task Force.

Public Comment: Chris Bowman asked that the letter thank all nine members of the Elections Task Force.

9. Discussion of items for future agendas: Commissioner Schulz suggested a discussion of the role of the CACE. President Mendelson asked that future agenda items be passed through the new Commission Secretary, who will begin on Wednesday. The next scheduled meeting will be April 29th.

10. Public Comment: David Rodgers asked for budget clarification; Peter Fries asked about the progress of the Commission rules and regulations; Chris Bowman reminded the Commission of the need for hearings for the paid arguments for the Voter Handbook.

ADJOURNED

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AGENDA

SPECIAL MEETING

Monday, April 29, 2002
4:00 P. M.
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place

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APR 26 2002

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable David Serrano-Sewell
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Discussion and Possible Approval of Minutes for April 22, 2002 Meeting
5. Officer's Reports
 - a. Presentation by Commissioner Thomas Schulz concerning the Sheriff's conduct
 - b. Presentation by Commissioner Brenda Stowers on implementation of Instant Runoff Voting
6. Committee Reports
 - a. Report by Budget and Policy Committee on Budget for FY 2002-03.
 - b. Report by the Personnel Committee on Director's Search, the recommendation of the appointment of an acting director and the establishment of a consultant contract with the Secretary of State.
7. Old Business
 - a. Discussion and Possible Action to Approve Election Commission By Laws
8. New Business
 - a. Discussion and Possible Action to authorize Chair of Personnel to do all things necessary and proper to establish a consulting contract for expert elections consultation.
 - b. Discussion and Possible Action regarding Annual Budget 2002-2003.
9. The Commission will hear public comment on each item on the agenda before consideration of that item.

CLOSED SESSION

10. Closed Session pursuant to Ralph Brown Act, section 54957 and Sunshine Ordinance section 67.8. Discussion and possible action regarding Public Employee Appointment/Hiring (Acting Director of Elections).
11. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations re: public employee appointment/hiring of Acting Director of Elections.

ADJOURNMENT

Disability Access

The Public Utilities Commission meeting will be held in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

April 29, 2002

Department of Elections
Elections CommissionCity and County of San Francisco
Elections Commission

Approved: 5/15/02

DOCUMENTS DEPT.

Minutes of the Meeting Held
Monday, April 29, 2002

APR 12 2004

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I. President Mendelson called the meeting to order at 4:30 pm and introduced the new Commission Secretary, Shirley Rodriques.

II. ALL COMMISSION MEMBERS WERE PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, Michael Mendelson, Richard Shadoian, Brenda Stowers, David Serrano-Sewell.

III. Flag Salute

President Mendelson announced that beginning with this meeting, speaker cards will be available for the public to fill out and give to the Secretary if a member of the public wishes to speak on a topic. The purpose of the speaker cards is to insure maximum citizen participation.

IV. Approval of Minutes - There were no minutes for approval.

Public Comment: Peter Fries commented that the Commission was behind in providing minutes. Mr. Fries also brought to the attention of the Commission that the website posted minutes had the wrong meeting convening and adjourning times and the mailed notices are arriving the day of the meeting or much later.

Mendelson moved that approval of the minutes be postponed until appropriate copies are available. PASSED UNANIMOUSLY.

V. OFFICER REPORTS:

Commissioner Thomas Schulz reported that the Sheriff's Department produced an After Action Report on the March 5th Election as requested by the Commission. The report will be made available to the public and Commissioner Schulz asked that members read the report and be prepared to discuss it, if necessary, with the Sheriff at a future meeting.

President Mendelson requested that copies of the report be available for public viewing at the next regular meeting of the Commission.

Commissioner Stowers began her report on Instant Runoff Voting by turning the floor over to Deputy City Attorney Moll. Counsel Moll reported on questions President Mendelson asked previously regarding whether it was advisable to seek an Attorney General opinion or to go to court to seek declaratory relief concerning the legality of instant runoff voting?

Counsel Moll checked with her colleagues who recommended this would not be prudent at this time.

Commissioner Stowers reported that she had a draft letter requesting the Secretary of State support us in implementing Proposition A in 2002 or 2003, which ever recommendation comes forward. Additionally, there is a draft letter asking all vendors to submit to the Secretary of State for certification, how they will implement Proposition A in 2002 and 2003, with timelines and associated costs. Commissioner Stowers expects to send the letters within one week and will ask for a response within two weeks. She will then come back to the Commission with proposals.

President Mendelson asked if the proposal will be in the form of an action on the part of the Commission? Commissioner Stowers responded in the affirmative.

VI. Committee Reports:

Budget and Policy Committee - Re: FYI 2002 Budget.

Commissioner Rosenthal reported that the Committee approved the baseline budget which was then approved by the full Commission. There were, however, two elements which need to be discussed: Possible enhancements to the baseline and proposed cuts to the budget in response to the Mayor's request to cut 10%. (A list of possible enhancements to the baseline and a table of the 10% in possible cuts were handed out)

Ara Manasian was asked to explain what is an "enhancement". His explanation was that an enhancement is something that one couldn't get funded within the baseline.

Commissioner Rosenthal explained that the Committee recommended not to hire FEDs, and that the full Commission ask for waivers to use City employees to fill those posts in the next election. This waiver has been drafted.

Commissioner Shultz asked, "Did your discussion consider the impact of Prop. E, and should there be some kind of testing or review by the Commission before we approve use of employees?"

Commissioner Rosenthal stated that there was discussion of the implications and it was decided that there be full Commission discussion at a future meeting. She said that the Committee passed this budget for the next year assuming that we would be asking for waivers. Regarding the preparation for implementation of instant run off voting, Commissioner Rosenthal said it was the estimate of Ms. Haygood that the costs would be approximately \$500,000 for the voter education campaign and project management. It was assumed that we would not institute until November 2003 and needs to be discussed by the Commission.

Commissioner Mendleson asked, what is the basis for this amount?

Commissioner Rosenthal replied that this is just a rough estimate. Mr. Manasian added that it was not a real detailed budget that came up with that number, it was a very preliminary guess by Ms. Haygood. In order to be approved by the Mayor and the Board, there needs to be more details.

Commissioner Stowers asked, was the purpose to make funds available for Prop. A?

Commissioner Rosenthal answered that when Ms Haygood gave the estimate, it was assumed that the \$500,000 would go towards implementation in 2003 and any additional funds to implement earlier would need to be requested.

Pilot implementation of a touch screen voting system:

Commissioner Rosenthal suggested that it might be easier to implement instant run off voting if we had the touch screen system. She said the full Commission needs to explore this and suggested a pilot program that could cost \$290,000. This amount would be worth it if this assisted us in instant run off voting and that the Committee recommends this. Commissioner Rosenthal said that Ms. Haygood's election's process efficiency project, which would cost \$150,000 for permanent staff tech people instead of borrowing them during election periods. The former Director felt we needed more tech people year-round. Mr. Manasian clarified by saying these would be limited duration project funding not indefinite.

Commissioner Rosenthal said that these total \$940,000 and are the Committee's recommendations. The full Commission cannot take action until item number 8 on today's agenda.

Budget Reductions for 10%:

Mr. Manasian explained that the Commission has no control over most of the items in the budget, for example: costs of voter pamphlets and postage. Those we can eliminate or reduce are, for example: poll worker fees, number of poll workers. It is anticipated that the November will have three cards, plus ballot styles - due to the various districts. To reduce ballot costs, the Commission may have to reduce the size to a two card ballot - this is not guaranteed. Mr. Manasian said that having this as a reduction proposal is speculative. The funds need to be put on reserve rather than be cut because we can't guarantee that we can live with a cut. The Sheriff services being cut would violate Prop. E. We were supposed to come up with \$800,000 in cuts, we ended up with \$723,000.

Commissioner Mendelson asked, do these numbers represent final cuts? Where do they go from here? When is it due? When will it be presented?

Mr. Manasian answered that these represent "If the department had to come up with 10% in cuts, where would they be?" They do not constitute a real budget cut until the Mayor and Board take them. They go in memo form to show 10% in cuts to the Mayor's office. This memo is past due and will be presented as soon as the Commission approves it.

Commissioner Stowers provided clarification. The Budget committee, she said, scrutinized the Sheriff's charges and services for implementation of Prop. E. All charges were provided at an overtime rate. Commissioner Stowers said we are proposing that we negotiate with the Sheriff's Department to not charge 100% overtime for the services we need.

Commissioner Schulz asked what were the other considerations in the top six potential cuts.

Mr. Manasian replied that the positions for: public information officer, fiscal manager and one IT position were considered and that those positions are already shown in next year's baseline budget.

Commissioner Kenealey asked Mr. Manasian what he would recommend cutting, as a budget expert. Mr. Manasian stated that cuts recommended are a matter of our own priorities as a department.

Report by the Personnel Committee on the Director search:

Commissioner Shadoian reported that the committee met and he was elected to be the chair. Human Resource Development staff met with the committee and advised that the search is underway and will take two to six months. There is a recommendation of an acting director to make at this meeting later on the agenda and also a motion for the consultant contract with the Secretary of State to come before you later today.

VII. OLD BUSINESS:

Public Comment. Peter Fries commented on the Commission's By Laws. He reminded the Commission that there were no copies of the By Laws for the public to see if there is to be action on them today and asked if the document was the same as the draft from at the last meeting?

Counsel Moll stated that the By Laws need to be publicly available for at least 10 days prior to adoption. Since they were distributed at the last meeting seven days ago, adoption was tabled to the next meeting.

VIII. NEW BUSINESS:

Public Comment : A speaker stated that the Commission passed, at its last meeting, a baseline budget for \$8.6M . He recommended that the touch screen be put off and stated that the idea of regular pay instead of overtime for the Sheriffs is good but to eliminate the Sheriffs would be like stepping into "a political minefield". The speaker recommended staff furloughs from January to June to help with the expenses.

David Rodgers urged the Commission to look for cuts in areas not mandated by Prop. E. Steven Hill said that with the passage of Prop. 41 there's \$200M to be tapped for voting equipment and there may be other things the money can be used. Mr. Hill said Federal government has two versions that have passed the Senate and the House allocating \$3B to the states. It's not quite law yet, he said, but it will be available within a year or so. This is a good time to implement touch screens and other ideas. Peter Fries: How much are the FEDs to be paid? Kay Burke suggested that recruitment be increased for poll workers who will do the work without pay or for a small stipend - people who will do it out of civic duty. Also, Ms. Burke stated her support for improved training and she said that there were hundreds of extra ballots at the poll where she worked. Ms. Burke stated that we need to consider the voting predilections are for each precinct. We could save money, she said, by not having too many of the less used party ballots at the precinct.

VIII-b. Call for the motion.

Commissioner Rosenthal moved that the Commission accept the recommendation of the Budget and Policy Committee regarding the three enhancements that totaled \$940,000 and refers specifically to instant run off voting, pilot touch screen voting system and the elections process efficiency project.

Discussion: Commissioner Schulz recommended that the elections process efficiency project be removed as item number three.

Commissioner Rosenthal agreed and renewed her motion without the efficiency project. The new total is \$790,000. THIS MOTION PASSED. (Shadoian had left the room, quorum present).

Commission Rosenthal moved that the Commission accept the three reduction priorities presented earlier in the Committee's report: Poll Worker Fees (\$100,000); Ballot Cost (\$300,000); and Services of the Sheriff (\$323,000).

Discussion: Commissioner Schulz said he characterizes these as "Poison Pill Reductions", because we don't really want to do these. Commissioner Stowers said the poll workers costs included 4 to 5 workers per sight that is an increase over the previous year. This deduction represents running the sites with three workers and we think this will be adequate. Commissioner Stowers stated that the Budget Committee

also recognized that the baseline was taken from the previous year when there was not Prop. E or Prop. A. and this is why it was felt that we needed to go forward with enhancements for this budget year. Commissioner Rosenthal added that cutting the services of the Sheriff is difficult and that having them is one of the reasons the election went as well as it did on March 5. She said that in examining this baseline budget, there is very little over which we have discretion and suggested that the Public Information Officer position be cut, although this act appears to save only \$15,000. Mr. Manasian said that cut would really amount to \$90,000 if the full position was cut. The \$15,000 was the incremental costs of the substitution.

Commissioner Rosenthal asked Mr. Manasian what position was being substituted for the Public Information Officer? Mr. Manasian said he thought it was one of the management assistant positions.

Commissioner Serrano-Sewell suggested that the new Director be allowed to decide whether to have a Public Information Officer or not.

President Mendelson ruled out-of-order further discussion of the Public Information Officer position.

MOTION: Commissioner Schulz proposed an amendment to the Motion that we adopt #1 of \$100,000, eliminating the words "and training"; that we continue with the \$300,000 and substitute \$100,000 for the \$323,000. To clarify, Commissioner Schulz said he thinks the reduction should be to the number, not their training; and until we have all read the Sheriff's report in which they do commit to reducing their costs, it's reasonable that \$100,000 is well within the range of something that is approachable. SECONDED (Commissioner Shadoian returns to the meeting). MOTION should read: That we accept the reduction priorities as presented forthwith: Priority 1 will be poll workers fees by reducing hiring for the November 2002 election; Priority 2 will be ballot costs - to take measures to reduce ballot costs for the November 2002 election; Priority 3 services of the Sheriff - reduce the costs of the services of the Sheriff for providing security- \$100,000. The total to be \$500,000. MOTION PASSED unanimously.

VIII-a. The Commission authorizes the Chair to do all things necessary and proper to establish a consulting contract for expert elections consultation.

Discussion: Commissioner Rosenthal asked how much it will cost? Commissioner Shadoian replied that he would keep members posted. Kenealey asked to whom this contract would be given? Shadoian replied that it would be with the Secretary of State who has an established a team of retired department of election experts. This team would be available to the Commission and the Director to help with elections. MOTION PASSED unanimously.

Public Comment on Closed Session Items:

Kay Burke asked if the discussion would be about the new Acting Director or about a Director of Elections? Commissioner Mendelson answered that it was the Personnel Committee's director search, appointment of acting director and the establishment of a consultant contract with the Secretary of State. Ms. Burke said she understood we might want to hire someone from within the department who is currently working there and that one of the problems is that there is a culture of low standards within the department. Chris Bowman said he saw no reason for the closed session, and that closed sessions placed a "cloud over the Commission". Douglas Comstock suggested we get someone with institutional memory who knows something about the department because time is short and we don't have time to break in someone new. David Rodgers spoke about hiring a consultant to look at the Department and determine the assets and problems and who will be able to advise the new Director once s/he is on board.

Richard Lee, who described himself as a journalist, urged Commission to reconsider its decision to keep private the decision to fire the Director. Peter Fries wanted to

know if postings of Election Commission Minutes and agendas have to be posted

CLOSED SESSION

MOTION made by Commissioner David Serrano-Sewell: That the Election Commission offer the position of Acting Director of Elections to Jonathan Arntz, effective Monday, May 6, 2002, upon submission of resume and three references and successful review and approval by President Mendelson and the Chair of the Personnel Committee, Commissioner Shadoian. SECONDED by Commissioner Schulz.

Public Comment on this MOTION:

Doug Comstock congratulated the Commission on finding "such an excellent Acting Director."

NO FURTHER DISCUSSION:

UNANIMOUS vote 7-0, to offer employment to Mr. Arntz based upon the terms and conditions previously stated.

MOTION to disclose deliberations of the CLOSED SESSION. MOVED to not disclose. PASSED

STATEMENT OF ACTION:

President Mendelson stated: The Personnel Committee, having investigated and interviewed the candidate, Jonathan Arntz, has determined that he possesses the requisite qualifications to serve as the Acting Director of the Department of Elections and having so determined that, the Commission hereby offers him the position of Acting Director subject to successful review and approval of his resume and three references by President Mendelson and the Chair of the Personnel Committee, Commissioner Shadoian, employment to commence on May 6, 2002.

The appointment of this Acting Director does not mean that the Human Resources search, the nation-wide search for the permanent Director for the Department of Elections, is in abeyance. This is perceived by this Commission as an interim act to fill that position until such time as a permanent Director is selected.

Presently there exists a Civil Service list. That list is controlling herein. By that, I mean, unless the four members of the presently constituted Civil Service list or at least two of them determine they do not want to participate, that will exhaust that Civil Service list. At that time, we would be able to select an individual to act as Interim Director. This would be the case until another list, or usually five names, is developed from who we can select a successful candidate.

The Commission Secretary announced that the regularly scheduled meeting for Wednesday, May 1st is cancelled. The next scheduled meeting of the Elections Commission will be Wednesday, May 15, 2002, at 7:00 pm in Room 408, City Hall.

Meeting adjourned.

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ELECTIONS COMMISSION
City and County of San Francisco

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21121
Michael Mendelson, President
Richard C. Shadoian, Vice President
Robert A. Kenealey
Alix A. Rosenthal
Thomas J. Schulz
David Serrano-Sewell
Brenda Stowers

NOTICE OF MEETING CANCELLATION

The scheduled Regular Meeting of the Elections Commission of San Francisco for Wednesday, May 1, 2002, is CANCELLED.

The next scheduled meeting is Wednesday, May 15, 2002, City Hall, Room 400, at 7:00 PM

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AGENDA

05-10-02

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Wednesday, May 15, 2002
7:00 P. M.
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable David Serrano-Sewell
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and Possible Approval of Minutes for the April 29, 2002 Meeting
6. Officers' Reports
7. Committee Reports
8. Director's Report
9. Old Business
 - a. Discussion and Possible Action to Approve Election Commission By Laws
 - b. Discussion and Possible Action to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies on November 5, 2002.
10. New Business
 - a. Discussion and possible action to respond to the Mayor's letter dated 26 April wherein the Mayor requests the recorded tapes of the Closed Session held on April 22, 2002.
 - b. Discussion and possible action to respond to Vernon Grigg's letter.

CLOSED SESSION

11. Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d). Discussion with legal counsel regarding anticipated litigation: Elections Commission as defendant, Ms. Tammy Haygood as plaintiff.

Closed Session pursuant to Ralph Brown Act, section 54957 and Sunshine Ordinance section 67.10(b). Discussion regarding the request for disclosure of recorded tapes of the closed session held on April 22, 2002.

12. Discussion and Possible Action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Motion: The Elections Commission finds that it is (is not) in the best interest of the public to disclose its closed session deliberations.

ADJOURNMENT

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Donna Hall, Clerk, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: Donna_Hall@ci.sf.ca.us. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

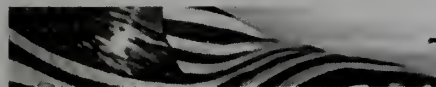
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

May 15, 2002

Department of Elections Elections Commission

City and County of San Francisco
Elections Commission

Minutes of the Meeting Held
Wednesday, May 15, 2002



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I. President Mendelson called the meeting to order at 7:19 pm

II. COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Richard Shadoian, COMMISSION MEMBERS ABSENT WERE: Brenda Stowers, David Serrano-Sewell, Thomas Schulz.

III. Flag Salute

IV. President Mendelson asked if there was any public comment on any item before the Commission or within jurisdiction of the Commission. There was none.

V. Approval of Minutes - The minutes for April 29, 2002 were approved UNANIMOUSLY.

President Mendelson called Item #11, Closed Session out of order. Meeting went into Closed Session at 7:22 pm. The regular Commission Meeting resumed at 7:46 pm and it was MOVED that the Closed Session discussion not be made public. The vote was UNANIMOUS.

VI. OFFICER REPORTS:

President Mendelson reported that the Secretary of State's Office has made available to the Department of Elections, at no cost, the services of two voting experts: Dwight Beatty of Santa Clara and Sacramento and Bill Jackson, previously of the San Mateo Department of Elections. We will have their services for 30 days. Commissioner Mendelson said that he would send a letter thanking the Secretary of State on behalf of the Commission.

President Mendelson reported that he had met with the Department of Human Resources regarding the search for a new Director of the Department of Elections. This process will be accomplished in three parts: written test, oral test, and an interview. DHR and Commissioners Shadoian and Mendelson participated in the writing of the position's specifications. The complete process is expected to take from two to four months.

VII. Committee Reports:

Budget and Policy Committee - Commissioner Rosenthal announced that Acting Director John Arntz was absent from today's meeting due to a death in his family. The Commissioner continued to report that The Board of Supervisors' Finance Committee

considered a portion of the remaining balance of the Elections Department's supplemental budget. A majority of the funds we requested have been released with the exception of the public relations consultant monies and the ballot costs. These, so far unapproved funds, are still up for discussion.

Supervisor Daly has suggested we decide whether the Department of Elections should pay the mailing costs of absentee ballots. Commissioner Rosenthal will discuss this topic at the next Elections Commission Budget and Policy Committee meeting.

There was no report from the Personnel Committee.

VIII. Acting Director's Report. Due to the absence of the Acting Director, this report was not read but is appended to the minutes of this meeting.

IX. OLD BUSINESS:

Public Comment. Peter Fries commented that he wasn't sure if the DRAFT he was given earlier of the Commission's By Laws were the same as those to be approved at this meeting.

Vice President Shadoian had concerns regarding Article 4, Section 1. regarding with whom a Commissioner may deal and the type of information a Commissioner may seek.

Commissioner Rosenthal said the By Laws were not clear in respect to when an individual member could speak to the Director. She asked, "what, if anything, are we trying to exclude here?". She said she could not think of a situation in which we would want to exclude an individual Commissioner from dealing with the Director.

President Mendelson asked if the By Laws could be passed and amendments be made at a later time so that the Commission would have an operating set of rules and regulations now. Future amendments, if the By Laws were to pass tonight, would only need a majority vote.

Passage of the Election Commission By Laws was continued to the next Regular Commission Meeting. President Mendelson asked that each Commissioner, again, go through the By Laws and be ready to discuss any concerns at that time.

Commissioner Rosenthal moved, and Commissioner Kenealey seconded that we seek a waiver from the Board of Supervisors to use City employees as FEDs in the November election. Vice President Shadoian asked who has asked for the waiver? It was stated that the request came from the Budget Committee. Vice President Shadoian asked that this item be continued until we have an election plan for November and a Director in place. Vice President Shadoian stated that he'd like to see other ways of handling the problem before asking for a waiver and that such a waiver would be difficult to obtain. The Vice President said it was too early to ask for a waiver.

Commissioner Rosenthal stated that the reason this was on the agenda was because of the need to propose a budget for the Fiscal Year and we did not ask for money to fund FEDs. Requesting the waiver as soon as possible is necessary because it takes a while to get such things through the government system. She disagreed that it would be difficult to get such a waiver now that the Board knows how much it will cost to pay FEDS.

Vice President Shadoian said that he still wants to take more time and that having the request come from a Director would be more appropriate.

President Mendelson continued this item to a time when there were more

Commissioners present to engage in discussion.

X. NEW BUSINESS:

Public Comment : David Rogers wanted to comment on FEDS. He asked that the Commission set a plan to recruit non-City employee FEDS no matter how long it would take. Mr. Rogers reminded the Commission that this was the goal of Prop. E. Peter Fries said it was difficult to keep track of Commission business because there are not minutes posted between February 22, 2002 and April 29, 2002.

There was brief discussion regarding the Mayor's request for the Closed Session audio tapes for 22 April 2002. Mr. Mendelson asked if there were public comments. Commissioner Rosenthal MOVED that the tapes not be disclosed, Vice President Shadoian seconded. Passed UNANIMOUSLY.

Response to the letter from Mr. Vernon Grigg, attorney for former Director of the Department of Elections, Tammy Haygood.
Public Comment: Peter Fries commented that the agenda did not provide enough detail regarding who was the writer of the letter listed under New Business, Vernon Griggs.

Commissioner Rosenthal MOVED that President Mendelson be delegated to write the response to Mr. Vernon Griggs, attorney for the former Director of Elections' letter. Commissioner Kenealey seconded the motion. Passed UNANIMOUSLY.

Vice President Shadoian MOVED that the Commission send a letter of commendation to Mr. John Mott-Smith for his assistance to the San Francisco Elections Department and the Commission. Commissioner Kenealey seconded. Public Comment: Peter Fries complained that the letter to Mr. Mott-Smith was not on the agenda and therefore could not be acted upon and suggested a section on future agendas with the title of "good and welfare" to cover such actions in the future.

President Mendelson stated that there is a provision in the Sunshine Ordinance that allows for commendatory letters that do not have to be posted on the agenda. Deputy City Attorney Julia Moll agreed. Voted and Passed UNANIMOUSLY.

ADJOURNMENT at 8:45 pm.

APPENDIX:

Elections Commission Meeting
May 15, 2002

Acting Director's Report

1. FY 02 Budget. According to City budget analysts, the Department exceeded its FY 02 budget by approximately \$5.6 million. To reduce the Department's budget overrun, all but the most essential personnel were given time off. On May 8th, the Board of Supervisor's Finance Committee authorized the release of funds totaling nearly \$1.9 million from the General Reserve Fund to pay for much of the Department's remaining balances due to vendors. The Finance Committee moved, without recommendation, to have the full Board review the release of these funds.

Due to the cost overruns, the Department has concentrated on reducing operational costs until the FY 03 budget provides new funding. The cost reductions, however, have halted the necessary closing of the March election, and the planning for the

November and potential December runoff elections. For example, the Department's warehouse on Pier 29 needs to be organized. Equipment and supplies used for the March 2002 election need to be reviewed, inventoried, cleaned, and repaired. After this work, the Department must begin to consider what equipment and supplies it must purchase. Also, the Department is without the necessary staff to plan not only for election-day activities, but also to plan the Department's needed purchases, personnel schedules, and post election-day tasks.

For the month May, the Secretary of State is providing the funding for consultants expert in California elections law and practices to assist the Department. The Secretary of State has never provided such services in the past. These experts are not in the Department's offices full-time, but respond to specific questions given to them. The consultants will assist the Department in such areas as the ballot ordering process, personnel planning, and budgeting practices. The Department is hopeful that it can also obtain the assistance of consultants who are experienced in designing and implementing poll worker recruitment plans.

2. FY 03 Budget. Personnel from the Mayor's Budget Office and from Administrative Services have completed their review of the Department's FY 03 budget. The Department agreed to fiscal targets that are substantial reductions to the Department's actual expenditures for FY 02. For example, the FY 03 budget allocates \$60,000 for vehicles compared to the more than \$120,000 used in FY 02. Also, the Purchasing Department has created a planning team to review the Department of Elections' expected vehicle needs. The Purchasing team will seek to reduce the Department's use of rental vehicles by exploring if other City departments can loan vehicles according to agreed upon schedules. On May 14th, to reduce costs for printing ballots, Departmental personnel met with its ballot printing vendor to consider the method for ordering ballots to reduce these printing costs. On May 13, the Department began to explore the possibility of mentoring high school students who participate in the Youth Works program. For their interest in gaining workplace experiences, the students can perform many entry-level tasks. The participating students can work a few hours each day in the near term, and 20 hours per week during the summer.

3. Voter Services Division

On Monday, the Department received funds to allow four experienced Voter Services personnel to return to work. With these experienced people, Voter Services expects to meet all deadlines mandated by the state election laws for the verification of ballot measure petitions. Prior to working on the petitions, however, Voter Services must complete the entering of data from more than 3000 registration cards. Now that staff can process the petitions and registration cards, Voter Services' supervisors can concentrate on the necessary review of the voter information in the voter database.

4. Campaign Services Division

With its current staffing, the Campaign Services Division is able to maintain a presence at the front desk, but is falling behind in preparing staff and candidate training sessions, forms and guides for the upcoming elections. While able to staff the front desk, this division's ability to research inquiries from the public and potential candidates is limited. For instance, Bay Area Transit (BART) has requested a budget estimate on a consolidated election. Further, the Department could capture revenue by setting up procedures for charging late fees to individuals and organizations that file necessary financial disclosure forms after scheduled deadlines.

5. Outreach Division

Only the manager of the Outreach Division is currently working in the Department. This manager still is preparing for such outreach activities as the recruitment of

bilingual poll workers. The Outreach Division will begin to increase its staff after the start of the new fiscal year on July 1.

6. Election Support Services Division

The Election Support Division currently has no staff. Any review of the March election cannot take place, and all planning for upcoming elections is not taking place. Poll worker recruitment is one of the most demanding responsibilities for holding successful elections. Along with all election offices, the Department must continually review its approach to poll worker recruitment, and enlarge the size of potential candidates.

7. Management of Information Systems (MIS)

The Department will need to review any precincts affected by final lines drawn by the Redistricting Task Force. After this review and necessary changes, the MIS manager will need to implement this information into the voter database. The MIS manager is taking a planned vacation and there are no other MIS support personnel presently employed with the Department. This work can commence on May 20th. The MIS manager will also be assisting the Voter Services Division in reviewing approaches to update the records in the voter database.

8. Purchasing

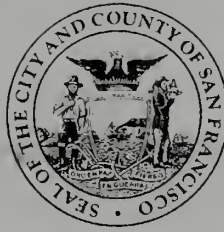
Currently the Department has no person assigned to review the FY 02 purchasing patterns and resultant invoices. At the time of writing this report, it appears that the Department will receive a supplemental budget allowing for the return of one staff person expert in structuring the Department's purchasing needs. This person will be able to continue and improve the Department's requisition system. Also, this person will have sufficient time to schedule purchases so that the Department can pursue cost savings in its purchases and plan for the materials to arrive in advance of peak election activities. On July 1st, the start of FY 03, the Department wants to return to its staff a second person who is skilled in tracking budget expenditures and presenting this information in simple spreadsheet forms. Tracking the impact of each division's operations on the budget will create a true baseline for developing future budgets.

9. Personnel

Due to budgeting shortfalls, the Department has no person assigned to reviewing the Department's past personnel practices, or developing a plan for the new fiscal year. The Department needs to structure a cohesive personnel plan for use throughout the entire fiscal year. In the past, the personnel budget for the entire year is used during the election, and the Department finds itself having to give staff time off when there is much work to be done. Also, a cohesive plan will provide the Department the opportunity to review its inefficiencies

10. Redistricting

The Redistricting Task Force completed the redrawing of supervisorial lines. As mentioned previously, the Department must now review these lines and determine which precincts are affected. The Department will have to redraw the boundaries of these precincts. Once the precinct review is complete, the Department will need to input the information into the voter database, and will then need to review test the voter database to ensure that the system is accurately using the new information.



AGENDA

05-31-02

Wednesday, June 5, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable David Serrano-Sewell
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and Possible Approval of Minutes for the May 15, 2002 Meeting
6. Officers' Reports

President -

- a. Response to letter from the Mayor re: release of audio tapes of Closed Session on 4/22/02.
- b. Response to letter from the attorney for former Director Haygood requesting her reinstatement.
- c. Report on Civil Service Commission Hearing held 5/20/02.
- d. Possible establishment of a 501.c.3 non-profit agency.
- e. Update of real estate search for Elections Department space.

Vice President -

- a. Establishment of a Blue Ribbon Panel for the Elections Department.

Commissioners-

- a. Update on implementation of instant runoff voting (Proposition A, November 2001) – Stowers

7. Committee Reports
 - a. Personnel Policy Committee update on Director search.
 - b. Budget and Policy Committee updates on Budget 02-03; 2002 supplemental request; pay for postage of absentee ballots.
8. Director's Report
 - a. Budget
 - b. Division Reports (Outreach, Campaign Services, Voter Services, Management Information Systems, Support Services.)
 - c. Instant Runoff Voting
 - d. Reprecincting
9. Old Business
 - a. Discussion and Possible Action to Approve Election Commission By Laws

- b. Discussion and Possible Action to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies on November 5, 2002.
10. New Business: Items for future agendas.
- a. Discussion and Possible Action on referral from the Board of Supervisors, File: 020412, the proposed ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots.
11. Public Comments on matters appearing or not appearing on the agenda but within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

June 05, 2002

Department of Elections

Elections Commission Approved: 8/7/02

City and County of San Francisco

=Elections Commission

=Minutes of the Meeting Held
June 5, 2002



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1. President Mendelson called the meeting to order.

2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, Michael Mendelson, and Brenda Stowers and Richard Shadoian. ADSENT: None.

3. Flag Salute

4. Public Comment: Supervisor Daly presented his proposal that the City pay postage for absentee ballots and asked for the Commission's support.

7. Item taken out of order - Personnel Policy Committee update on Director search. President Mendelson called for this report out of order. Anna Borjas of DHR reported on the recruitment for a Director of Elections. The job analysis phase of the recruitment has just been completed to establish an eligibility list. The exam is being finalized and a tentative time line has been submitted. This time line shows the tasks still needed to be completed. August 16 is the date the DHR hopes to have the completed eligible list adopted. President Mendelson asked where was the requirement that a candidate have elections experience as a minimum requirement. Ms. Borjas said that this was not a requirement in previous announcements. She said it was entered as a "desirable qualification". Commissioner Schulz asked if DHR will be using the internet as a resource. Marsha Stroop also spoke and reviewed the salary range for this position. The announcement is expected to be posted on June 21, 2002.

5. Minutes for May 15, 2002 - APPROVED unanimously.

6. Officer's Reports. President Mendelson reported that, at the request of the Commission, he has sent a letter in response to the Mayor's request for audio tapes of the Closed Session on April 22, 2002 and to Attorney Vernon Grigg about his request to have his client, former Director Tammy Haygood, reinstated. The President also reported on what occurred at the Civil Service Commission's May 20, 2002 meeting in which the process for the hearing to determine CSC jurisdiction was explained.

President Mendelson explained that numerous commissions in the City have non-profit foundations, i.e. the Library. He said he was suggesting that the Elections Commission look into attaining a 501.c.3 non-profit status to aid in getting donations for such things as a van service to assist handicapped voters in getting to the polls and relieving some of the financial burden of printing the voter information pamphlet.

President Mendelson reported on the search for 30,000 square feet that the Acting Director is seeking in order to move the DOE under one roof.

Vice President Shadoian explained his plan to form a blue ribbon panel after having an informational exploratory meeting with various community leaders about their interests in and ability to help the DOE. The meeting will be next Tuesday. After the initial meeting, Vice President Shadoian will come back to the Commission and ask if there's interest in going forward with plans for a blue ribbon panel. Some of the groups to be represented at the initial meeting are: The Chamber of Commerce, Committee on Jobs, Center for Voter Democracy, League of Women Voters, Coalition of SF Neighborhoods, etc.

Commissioner Serrano-Sewell complained that none of the organizations of color have been invited to this informational meeting. Commissioner Rosenthal agreed. She said that the full Commission should have been consulted and that this was the first time she had heard about this meeting. Commission Schulz agreed and said that the Commission hasn't yet met with the Citizens Advisory Committee and should do so soon.

President Mendelson said that because several important City representatives have already been invited, the meeting should go forward with the understanding that in the future, such ideas for meetings should come before the Commission for approval. He said that this particular meeting should be viewed as the first of a series of meetings incorporating significant ethnically represented groups.

Commissioner Stowers reported that she has begun meetings with vendors to aid in their understanding of the DOE's needs. These meetings will also help the vendors present proposals to the Secretary of State for certification. The current deadline for the November 2002 elections is July 1st for implementation of Proposition A.

7. Committee Reports. The Personnel Policy Committee has set the Tuesday before Regular Election Commission meetings at 4:00 pm as their meeting date and time. Commissioner Rosenthal reported from the Budget Policy Committee that the Mayor's office has reported to the Board its recommendations for the 2002-03 budget for the DOE. It was proposed that the DOE be budgeted for \$9.5M, this is down \$300,00 from the previous year. The Budget Committee recommends that the Commission support the Daly proposal to pay for absentee ballots because it will increase voter turn out, may be less complicated for poll workers on election day and will not be an expense to the DOE - The Board of Supervisors plans to get an appropriation to pay these costs and a percentage may be reimbursed by the State.

8. Director's Report. Acting Director Arntz reported that there are still bills coming in from the March election that were not previously known. ES&S is requesting more than the contract called for and that this is being negotiated. The managers are putting together staffing schedules for next year, this has never been done before. The DOE is planning past the election. There have been 73 precincts affected by the redistricting.

Commissioner Serrano-Sewell asked if all the printing cost bills have been paid. Mr. Arntz said that there are still outstanding invoices for Sequoia, approximately \$35,000.

Commissioner Kenealey asked about the contracts for public information officers. Mr. Arntz said those were personal services contracts and have not been covered by the supplemental budget.

RECESS for 5 minutes.

9. Old Business. Approval of By Laws PASSED unanimously with amendments given to the Commission Secretary. It was also agreed that the President of the Commission shall serve as an ex-officio, non-voting member of each standing committee. Commissioner Schulz suggested that the Mission Statement be added to the By Laws. Commissioner Rosenthal respectfully disagreed stating that the By Laws are the rules by which the Commission operates and that the Charter was the guiding principle of the Commission. Vote by role call to include the Mission Statement was: Kenealey - No; Shadoian - No; Rosenthal - No; Schulz - Yes; Serrano-Sewell - Yes; Stowers - No; Mendelson - Yes; The amendment did not carry.

Vice President Shadoian requested that Item 9b. (action to seek a waiver from the Board of Supervisors to permit the City employees to serve as field election deputies on November 5, 2002) be TABLED. PASSED. Vote was 6-1 with Commissioner Serrano-Sewell as the opposing vote.

10. New Business. Proposed ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots. MOVED that the President of the Commission send a letter to the Board of Supervisors in support of the amendment to the Municipal Elections Code to require that San Francisco pay for absentee ballot postage, with the understanding that the funds not come from the DOE budget. PASSED unanimously.

President Mendelson introduced Dwight Beattie and John Mott Smith were introduced as experts who have been assisting the Department.

11. Public Comment. Chris Bowman asked about prioritization of official ballot arguments being calendared on a future agenda, suggested that the Department reduce the number of precincts as a way to save money and suggested that the Commission, under Prop. E, could not take a stand on a Charter amendment.

President Mendelson announced that the next scheduled meeting of this Commission would be July 17, at 7:00 pm in room 400.

ADJOURNED

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SPECIAL MEETING

**AGENDA
WITH ADDENDUM**

Saturday, June 29, 2002
5:00 P. M.
City Hall, Room 048
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible action regarding the lease of real estate for Election Department offices.
6. Discussion and possible action whether to hire counsel in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment.
7. Discussion and possible action whether to disclose at the request of the Civil Service Commission, the following: (a) All materials and documents concerning the termination of Tammy Haygood from her position as Director of Elections including performance appraisals considered by the Elections Commission in closed session; (b) All tapes of the closed session meeting of the elections Commission of April 22, 2002.
8. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).

CLOSED SESSION

9. Conference with legal counsel; anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.
10. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
11. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors to cover cost of hiring outside counsel.
12. Discussion and possible action to set fees for paid ballot arguments.
13. Public comments on matters appearing or not appearing on the agenda but within the jurisdiction of the Elections Commission.

ADJOURNMENT

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The Elections Commission

June 29, 2002 (Special)



Department of Elections
Elections Commission

Approved: 8/7/02

City and County of San Francisco
Elections Commission
Minutes of the Special Meeting held
Saturday, June 29, 2002

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civil
1. Acting President Schulz called the meeting to order.
 2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, and Brenda Stowers. ABSENT: Michael Mendelson and Richard Shadoian.
 3. Flag salute
 11. This Item was taken out of order. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors to cover cost of hiring outside counsel. Acting President Schulz stated that he received authorization from the City Attorney to hire outside counsel for Tammy Haygood's appeal of the Commission's decision to terminate her employment as Director of Elections. It was MOVED and seconded to request a supplemental appropriation from the Board of Supervisors to cover the cost of hiring outside counsel. Discussion: Julie Moll stated that any agreement to retain counsel must provide that the retention is contingent upon the Board approving money and that there will not be a contract until a provision is approved by the Board of Supervisors. Ms. Moll clarified the procedure. She said the Commission can direct the Acting Director to make the request from the Board. The Commission agreed to make the request when it had a monetary figure for the request.
 - Public Comment. Peter Fries said that it's the Director's job to ask for a supplemental and that the public would need to know how much was being requested. Frederick Hobson said that the Commission has integrity and is trying to do the right thing but he wished it would change its mind and reinstate former Director Haygood.
 - Roll Call Vote on this item: Stowers-Yes; Kenealey-Yes; Rosenthal- Yes; Schulz-Yes.
 6. This Item was taken out of order. Discussion and possible action to hire counsel in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Commissioner Stowers MOVED that counsel be hired in the matter of Tammy Haygood's appeal to the CSC regarding her termination of employment.

Public Comment. Peter Fries said that hiring should be by competitive bidding. Acting President Schulz and Commissioner Kenealeay replied, that in this instance, the hiring was exempt. Shelly Bradford Bell said that outside attorneys seem to have already attended meetings and that such action could be a violation of the Sunshine Ordinance.

Roll Call Vote on this item: Stowers-Yes; Kenealeay-Yes; Rosenthal-Yes; Schulz-Yes.

It was MOVED to hire the law firm of Howard Rice to represent the Commission in the matter of Tammy Haygood's appeal to the Civil Service Commission. APPROVED unanimously.

Steve Mayer, from the firm of Howard Rice, introduced himself and his colleague, Joe Quinn.

Public Comment. Frederick Hobson asked that the Commission and its counsel speak "meaningfully" with Ms. Haygood; Peter Fries asked what are the credentials/speciality of the Howard Rice firm; Toye Moses, of the African American Democratic Club, asked what role would the City Attorney play at the Civil Service Commission hearing. Acting President Schulz said that the City Attorney will act as the attorney for the DOE and Commission in all matters other than the Haygood appeal. Helena Brook asked about the budget for hiring an attorney.

VOTE to hire the law firm of Howard Rice to represent the Commission in the Matter of Tammy Haygood's appeal before the Civil Service Commission, and all matters arising from that appeal. Roll Call Vote on this motion: Stowers - Yes; Kenealeay - Yes; Rosenthal - Yes; Schulz - Yes.

4. Public comment. Peter Fries said that meeting minutes have not been posted and complained about the date and time of this meeting. Shelly Bell complained that Commissioners had gone directly into DOE records instead of asking someone for the records. Unidentified Speaker asked that a sliding scale be used for paid ballot arguments. Helena Brook said that she hoped that the Commission's hiring of legal counsel will not slow down the process.

5. MOVED unanimously to go into closed session.

6. CLOSED SESSION:

7. The Commission decided to disclose the following information from the closed session: The Commission authorized Howard Rice to take all appropriate actions necessary in proceedings before the CSC in the matter of Tammy Haygood's appeal and initiate and defend any litigation arising from that appeal.

Public comment. Peter Fries spoke about an amendment to the State Constitution regarding public information.

The VOTE to authorize Howard Rice to take these actions was unanimous.

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SPECIAL MEETING

AGENDA
ELECTION COMMISSION

Monday, July 8, 2002

6:00 P. M.

City Hall, Room 408

1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).

CLOSED SESSION

6. Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.
7. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
8. Discussion and possible action whether to change status of "Acting" Director to "Provisional" Director for the Department of Elections.
9. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors for legal counsel and other legal costs to the Commission in the matter of Tammy Haygood's appeal to the Civil Service Commission re: termination of employment.
10. Report from the Acting Director on anticipated Department expenses/costs not covered by Annual Appropriation.
11. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors for lease of real estate for the Department of Elections and any additional costs presented by the Director that are not covered in the Annual Appropriation.
12. Discussion and possible action to urge the Mayor, Board and State Legislation Committee to oppose SB1975 (California to conduct three separate elections in a presidential election year).
13. Public comments on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

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The Elections Commission

July 08, 2002 (Special)

Department of Elections
Elections Commission

APPROVED: 7-17-02

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City and County of San Francisco
Elections Commission

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Monday, July 8, 2002

I. President Mendelson called the meeting to order at 6:06 pm

II. COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Brenda Stowers, Thomas Schulz. ABSENT: Richard Shadoian.

III. Flag Salute

IV. Public Comment - NONE

V. It was discussed whether to go into Closed Session at this point in the meeting.

DECISION: To go into Close Session

VI. CLOSED SESSION - Commission entered Closed Session at 6:08 pm. Returned to Open Session at 7:53 pm.

VII. Discuss whether to disclose Closed Session. It was decided not to disclose the Closed Session discussion pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

VIII. The Commission urged the Mayor to release the requisition for the Director of Elections so that the Elections Commission may appoint a Provisional Director. PASSED unanimously.

IX. The Commission approved a request for a supplemental appropriation from the Board of Supervisors for legal counsel and other legal costs to the Commission in the matter of Tammy Haygood's appeal to the Civil Service Commission re: termination of employment. PASSED unanimously.

X. The Commission postponed the Acting Director's report on anticipated expenses.

XI. The Commission postponed discussion concerning a possible request for a supplemental appropriation for lease of real estate.

XII. The Commission postponed the making a decision about urging the Mayor and the Board to take a position on SB 1975 pending a report from the Acting Director.

XII. There was no public comment.

MEETING ADJOURNED.

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

July 16, 2002 (Special)

Department of Elections
Elections Commission



SPECIAL MEETING

AGENDA

ELECTION COMMISSION

Tuesday, July 16, 2002

7:30 A. M.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment only on matters appearing on the agenda. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors for lease of real estate for the Department of Elections and any additional

costs presented by the Director that are not covered in the Annual Appropriation.

6. Discussion and possible action to support the Board of Supervisor's proposed legislation regarding paid ballot argument fees and submission deadlines.
7. Discussion and possible action to direct the Director to refrain from hiring and firing employees until the Commission approves revised personnel practice standards.
8. Discussion and possible action whether to hold a Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
9. CLOSED SESSION Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.
10. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

ADJOURNMENT

Disability Access

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The Elections Commission

July 16, 2002 (Special)



Department of Elections
Elections Commission

Approved: 8/7/02

City and County of San Francisco

Elections Commission

Special Meeting

Minutes for

Tuesday, July 16, 2002

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1. President Mendelson called the meeting to order at 7:40 AM.

2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Alix Rosenthal, Michael Mendelson, Brenda Stowers, Thomas Schulz. ABSENT: Richard Shadoian.

3. Flag Salute

4. Public Comment - Peter Cohn spoke in objection to the starting time for this meeting; David Rogers said that the Commission should have made a more detailed statement after the closed session on 4/22/02; Kathleen Grogan spoke about the intent of this early meeting; Dr. Amos Brown spoke in favor of the former Director; Peter Fries said that Item #7 should have been resolved before this meeting; Rev. Arnold Townsend urged the Commission to "stick with the system. It will work for you"; Rev. Gregory Richardson said that money was being wasted; John Bardis congratulated the Commission and wished it had more experience and had acted sooner re: the former Director; Susan Horstall presented 4 letters and spoke in support of the former Director; Helena Brook spoke in support of the former Director.

5. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors for lease of real estate for the Department of Elections and any additional costs presented by the Director that are not covered in the Annual Appropriation. TABLED.

6. Discussion and possible action to support the Board of Supervisor's proposed legislation regarding paid ballot argument fees and submission deadlines. TABLED.

7. Discussion and possible action to direct the Director to refrain from hiring and firing employees until the Commission approves revised personnel practice standards. TABLED.

8. It was discussed whether to go into Closed Session. DECISION: To go into Close

Session.

9. CLOSED SESSION - Commission entered Closed Session at 8:12 pm. Returned to Open Session at 9:00 pm.

10. Discussion whether to disclose Closed Session. The Commission decided not to disclose the Closed Session discussion pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

Public Comment: David Rodgers asked for a general sense of what was discussed with the attorneys, "as fully as the Commission can."

Commissioner Schulz moved that closed session not be disclosed. Commissioner Kenealey seconded. The vote was 5 - 0.

ADJOURNED AT 9:05 pm.

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The Elections Commission

July 17, 2002

Department of Elections
Elections Commission



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AGENDA
ELECTION COMMISSION
Wednesday, July 17, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Richard Shadoian, Vice President
The Honorable Robert Kenealey
The Honorable Alix Rosenthal
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and Possible Approval of Minutes for: March 6, 13; April 3, 17; July 8; Budget Committee Minutes for March 13, April 3, 15, 22. Personnel Committee Minutes for April 29.
6. Officers' Reports

President -

- a. Report of the Civil Service Commission Meetings on June 17 and July 15.

Commissioners-

- a. Update on implementation of instant runoff voting (Proposition A, November 2001) - Stowers
7. Committee Reports
 - a. Personnel Policy Committee - DHR report on Acting Director compensation.
 - b. Budget and Policy Committee update on the budget.
8. Director's Report
 - a. New Space proposal.
 - b. Meeting with the Voting Modernization Board on 6/6/02.
 - c. Anticipated expenses not covered by Annual Appropriation.
 - d. SB 1975 and need to urge Mayor and Board to oppose it.
9. Old Business
 - Tabled from last meeting, FEDs/City employees waiver update.
 - Discussion and possible action to appoint a Provisional Director.
 - Discussion and possible action whether to continue the CACE.
10. New Business
 - Discussion and possible action on removal of Richard Shadoian as Vice President of the Commission.
 - Discussion and possible action to elect a Vice President of the Commission
11. Report by DHR on compensation for the Acting Director and an update on the Director Search.
12. Discussion and possible action to establish a procedure by which the Commission will select a new Director of Elections.
13. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).

14. CLOSED SESSION: Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.
15. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
16. Public comments on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

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The Elections Commission

July 17, 2002

Department of Elections
Elections Commission

Approved: 8/7/02

City and County of San Francisco

Elections Commission

Minutes of the Meeting Held

Wednesday, July 17, 2002

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1. President Mendelson called the meeting to order at 7:07 pm.

2. ALL COMMISSION MEMBERS WERE PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, Michael Mendelson, Richard Shadoian, and Brenda Stowers.

3. Flag Salute

4. Public Comment: Doug Comstock asked that the DOE not use people from the Mayor or Supervisor Ammiano's field of influence as FEDs if the ballot measure passes in November; Peter Fries asked why the same item (item 10) is on tonight's agenda as well as this coming Friday's agenda; David Rodgers commented on the Ammiano ballot measure regarding waivers for City workers to work on election day. He suggested that the DOE use poll workers with years of experience as FEDs.

5. Approval of Minutes for: March 6, 13; April 3, 17; July 8; Budget Committee Minutes for March 13, April 3, 15, 22. Personnel Committee Minutes for April 29. The Commission voted to APPROVE these minutes unanimously.

Public Comment: Peter Fries stated that he was not satisfied with the early minutes of the Commission and the way he had been quoted as a public speaker. President Mendelson thanked Mr. Fries for the work he has done on his alternative Elections Department website and said that some of his suggestions may be included in the Commission's soon to be implemented official website.

6. Officers' Reports. President Mendelson briefly gave an overview of the present litigation and current status of the DOE. The President stated that the Commission will work to keep the attorney costs under control. Vice President Richard Shadoian passed out the notes from the Blue Ribbon Panel that met in June to discuss election improvements. He stated that a lot of good issues were raised at the meeting and urged that the Commission read the report.

Commissioner Stowers reported that there have been several meetings with different vendors regarding Instant Runoff Voting (IRV). Attendees have been the Acting Director, Deputy City Attorney Julie Moll, Dwight Beatty, Steve Hill and several of his

center's members and DOE staff. The main subject has been what will it take to implement IRV. Commissioner Stowers will be meeting with Acting Director Arntz to find out in which direction the DOE feels is appropriate to move - to use the existing vendor or seek another through the RFP process.

7. Committee Reports. Commissioner Schulz reported that he has met with DHR. The announcement went out on June 21st for the recruitment of Director of Elections. It has been posted on some internet websites, however, no direct mailings have been sent yet. At the present time one application has been received. More outreach approaches are being developed. He reported that there were a lot of phone calls when the announcement first went out but that the pending litigation may be holding applicants from currently coming forward. There are plans for a brochure to send to all the registrars of voting throughout the country. Commissioner Shadoian asked what is the salary range mentioned on the announcement. Commissioner Schulz answered that it is \$92,924 to \$144,144, the class number is 0941 and the announcement is on the City's website. Commissioner Schulz said that he would have the process in writing for the next regular Commission meeting. Commissioner Stowers stated that this is not the first time the City has needed to hire a Director of a department and that DHR should be able to give us an estimated amount of time that the process will take. President Mendelson requested that Marsha Stroop, of the DHR, come to a future meeting and make a presentation about the process and field questions from the Commission.

Public comment. Peter Fries stated that he was confused because this subject is also the topic of Item 11 on today's agenda.

Commissioner Alix Rosenthal reported that she has written a letter to the Mayor and the Board of Supervisors in advance of the Commission hiring outside counsel and that their help is expected to assist us in getting the funding. She said that she is mindful of the expense and will do all that she can to keep the costs down. Deputy City Attorney Moll reported that she has had calls from the Mayor's Budget Office about the process for hiring outside counsel. Ms. Moll said she explained to them why the competitive solicitation requirements do not apply. They also had a question about the budget authority. Ms. Moll explained that there would not be a contract until there was an appropriation from the Board of Supervisors.

Public comment. Peter Fries said that he was confused about why the Commission continues to take advice from the City Attorney's office when, in his opinion, they continue to give bad advice and the Commission has hired outside counsel.

President Mendelson introduced Mr. David M. Howell, of Strategica, an organization made available to the DOE through the Secretary of State's Office. Mr. Howell explained that his organization, based in Seattle, will work with San Francisco's DOE to analyze space, organizational structure, alternatives for building up the core of experienced, professional staff - particularly in middle management, and the flow and process of transactions as the elections are conducted. Mr. Howell stated that he will spend six weeks working with our department.

8. Director's Report. Acting Director Arntz reported that the nomination process began on July 15; and Voter services is caught up on their review of signatures. Two staff went to Sacramento to the Voting Modernization Board Meeting today. The result of that meeting was the allocation of funds for new technologies for elections departments. The formula for that allocation will be available tomorrow and Mr. Arntz will share it with the Commission. Mr. Arntz said that he's working on correcting the classifications of DOE staff in an effort to have the classifications more accurately match the work performed. Seventy-five precincts have been created due to changes in district lines.

Mr. Arntz introduced Jennifer Novak, MIS manager for DOE. Ms. Novak explained the reprecincting process. She reported that the vendor used for the project did not complete the assignment. The work left uncompleted has been done by staff using overtime hours. Twelve new precincts have been created because of the new precinct lines, but the department is looking to consolidate precincts to lower this number. Ms. Novak explained that some of these precincts will become "mail ballot" precincts. These precincts have under 250 voters and they are all sent absentee ballots. This cuts costs because there is no polling place and we don't pay poll workers. The grand total is 711 precincts currently. Commissioner Rosenthal asked what are the terms of the uncompleted contract, does the DOE get a rebate. Ms. Novak said that we are looking into payment because they did fulfill part of the contract and they have not yet been paid. The Acting Director will be negotiating how much the vendor is to be paid.

Acting Director Arntz stated that the next election will have a four-card ballot instead of three. The additional cost for the ballots will be \$300,000 or more. The fourth card is needed to cover all the initiatives. Mr. Arntz asked the Commission to urge the Mayor and Board of Supervisors to oppose SB 1975, just as 37-plus counties have already done. The measure is to have a presidential primary in August instead of March. This could mean three elections during a presidential year with a short turn around between August and November. A primary requires multiple cards. This kind of schedule, Mr. Arntz explained, is very taxing. Commissioner Rosenthal asked Mr. Arntz what the difference is in the number of cards ordered for last March's primary compared to the upcoming November election. Mr. Arntz said that the DOE ordered 4.4 million cards for March and we have ordered 1.2 million for this November.

Mr. Arntz said that planning is on schedule, the staff is creative, initiating meetings and keeping him informed of progress. There is a lot of positive energy to get the November election done. Mr. Arntz said that if the impression is that the department is falling apart, that is entirely incorrect.

President Mendelson stated that apparently bills are still coming in from the last election and asked if Mr. Arntz had a tally yet. The Acting Director said this is still unknown because they continue to come into the office. Commissioner Rosenthal added that payment of these bills is questionable - that is, the Board of Supervisors is likely to not pay them, because invoices were signed without budget authorization. Also invoices have arrived and no one but the former Director was aware of them. These invoices were not brought to the attention of the Commission. Commissioner Rosenthal asked the Deputy City Attorney if it was correct that contracts should not have been signed without the funding being in place. Ms. Moll agreed. Acting Director Arntz added that there are several vendors who were used without their contracts being extended to the current year. These are major vendors like ES&S from whom we get our voting machines, Sequoia who publish the ballots and also the company that handles DOE's voter files. President Mendelson asked Mr. Arntz when the contracts were supposed to have been re-established. Acting Director Arntz stated that they expired during the last fiscal year. Mr. Mendelson asked if their expiration was during his tenure or prior to April 22nd. Mr. Arntz answered that they were prior to April 22nd and his coming on board as Acting Director.

Mr. Mendelson asked if the Acting Director knew how much we owed on the ballots to the Sequoia company. Mr. Arntz estimated around \$1.5 M. President Mendelson asked if the past Director would have normally made certain that these contracts had been in place. Mr. Arntz replied "yes". Commissioner Schulz asked if the Acting Director would be presenting an action plan for the upcoming election to the Commission soon. The Acting Director said that he would do so. Commissioner Stowers asked that because these contracts have not been renewed, is there any exposure, legally, to the DOE. Deputy City Attorney Moll stated that she would need to look at the contracts and she will work with the department to resolve these issues. Mr. Arntz added that

Sequoia has refused to order the paper for the November ballots until they have a contract; and ES&S indicated that they may suspend services to the DOE at the end of this month. Acting Director Arntz said that since there have been no contracts, it's possible that the vendors may try to charge the City more for the work that they have done.

Public Comment. Peter Fries complained that the agenda does not adequately explain or describe the items to be discussed. Mr. Fries suggested that the Commission ask the Director to pay vendors "segmentally" as the work is completed. Barbara Mescunas said she was disappointed that the precincts were not consolidated and reduced. Kay Burke asked if work has begun on personnel to work the polls for the upcoming election.

RECESS FOR FIVE MINUTES.

SB 1975 - Acting Director John Arntz recommended that the Commission oppose this legislation and urge the Mayor and Board of Supervisors to do the same because the schedule of having a Presidential primary in August instead of March is too taxing of the City's resources.

9. Old Business. President Mendelson asked that Mr. Arntz prepare a letter for action at the next Commission meeting, August 7, 2002, with his recommendations regarding seeking a waiver from the Board of Supervisors that would permit the DOE to use City employees as FEDs in November.

Public comment. David Rodgers asked that exempt non-Civil Service employees not work as FEDs. He said that these are political appointees.

Discussion and possible action to continue the CACE.

Public comment. Barbara Mescunas read a letter from Joseph McGuire, a CACE member, who could not attend this meeting. Mr. McGuire stated that he hoped the group could continue and focus on specific goals. The one he wanted to bring forward was a project to bring citizens into the election process by training them to organize and function as election observers.

It was MOVED and seconded to discontinue the CACE. Discussion: Commissioner Rosenthal asked Ms. Moll how the CACE was created and if the Commission had the authority to eliminate it. Ms. Moll gave a brief history of the group. She said the Board of Supervisors, when they drafted Proposition E last year, considered if Measure E passed should the CACE continue. The Board passed an ordinance stating that if the voters adopted Prop. E, the new Election Commission should recommend to the Board whether CACE should continue. She said that the Board of Supervisors has the ultimate authority to eliminate the CACE and that the Commission would need to send a letter to the Board to let them know the Commission's opinion. Commissioner Schulz asked the Commission for reasons for the motion to eliminate the CACE. Commissioner Rosenthal said that at the time the CACE was created, there was no citizen oversight of the DOE. Now that the Elections Commission exists, the two bodies are duplicative. She said that the Commission oversees the DOE, it provides a forum for the public to comment on the department and how it operates, and to let the Commission know how they feel. Ms. Rosenthal said that she felt that this system was a more appropriate forum for other members of the public who are not on the CACE. She said that in regards to Mr. Arntz, the two bodies might step on one another's toes.

President Mendelson asked Acting Director Arntz if the CACE imposed itself on his day to day operations. Mr. Arntz stated that the CACE had one meeting scheduled which never happened because there was no quorum. At another time, the person in the department who helped run the CACE left the department and currently there is no

one on staff to assist the CACE. The last meeting that was scheduled was assisted by the Election Commission's Secretary and there was no quorum, again. In the past, it has taken a lot of resources to organize a CACE meeting; it takes several hours a month to contact the members, update them, take minutes, update drafts, etc. Mr. Arntz said that although the Commission has a secretary to do those things for it, he does not. There is no one to do the care taking for the CACE's activities. President Mendelson asked Mr. Arntz what would be his recommendation. Mr. Arntz stated that it makes more demands on his time because of the expectation that he provide service and information to the Committee. President Mendelson asked Mr. Arntz if he would object to the Commission recommending to the Supervisors that the CACE be eliminated. Acting Director Arntz answered that he would not object.

Commissioner Schulz said that he was concerned that the CACE is made up of interested members of the public who volunteer their time to participate. He asked if they should be consulted before the Commission vote to recommend their elimination. Mr. Schulz added that there may be some way that they can help and we could make as part of our recommendation that they not be a drain on the staff of the DOE. He said he would like to have a joint meeting with them before the Commission recommends that they are no longer needed.

Commissioner Shadoian stated that as a former CACE member, he was appointed to that group last October. He said they did not meet during his appointment. Commissioner Shadoian suggested that the recommendation to the Board of Supervisors be that the Commission has not worked with the CACE and therefore cannot offer an opinion. He stated that if eleven citizens want to assist the DOE, that group has some potential and can be helpful.

Commissioner Stowers asked, even when the CACE does not meet, is there work to be done by the DOE. Mr. Arntz answered yes.

Public comment: Doug Comstock said that he felt the CACE never had a chance to get off the ground. Richard Ow said that the CACE supported his complaint that the translation of his name was incorrect as done by the DOE's translator. David Rodgers described what happened when a group of volunteers he had joined were demolished by the Board of Supervisors. He said the people were discouraged and become lost to that cause.

MOVED to recommend to the Board of Supervisors that the CACE cease operations.
VOTE: Kenealey - Yea, Rosenthal - Yea, Mendelson - Yea, Stowers - Yea, Shadoian - No, Schulz - No. PASSED 4 - 2.

The Commission Secretary is to prepare a letter to the Board of Supervisors of this recommendation. She is to include the names of the Commissioners and their vote.

Commissioner Rosenthal said that in light of the comments of David Rodgers, she hoped that the members of the CACE would not be discouraged and stay involved with the DOE and that the Commission welcomes any advice that they may have and they are encouraged to come to the Elections Commission meetings and speak publicly about their views. She further commented that her experience with the members showed them to be very thoughtful and active about election issues.

President Mendelson asked Commissioner Schulz to take the lead on writing letters of thanks to the CACE members.

10. Discussion and possible action on removal of Richard Shadoian as Vice President of the Commission and elect a new Vice President.

Public comment. Doug Comstock commented he was proud of the Commission and that it is very important that the Commission look good during this critical time. He

was in support of Commissioner Shadoian remaining Vice President. Barbara Mescunas said that she was amazed that this item was on the agenda when there is so much more important work to be done. Richard Ow said that Commissioner Shadoian has often done volunteer work in the City. Kay Burk said that the only person who knows what goes on in the DOE is Mr. Shadoian. David Rodgers said that Commissioner Shadoian offers a distinct point of view that is good to have on a commission.

MOTION to remove Richard Shadoian as Vice President of the Elections Commission made by Commissioner Kenealey, Seconded by Commissioner Stowers. Discussion: Commissioner Stowers asked that the letter sent by President Mendelson asking that Commissioner Shadoian be removed as Vice President be read into the record. The letter was read. VOTE: Kenealey - Yea, Schulz - Yea, Rosenthal - Yea, Mendelson - Yea, Stowers - Yea, Shadoian - No. Motion PASSED 5-1.

Commissioner Kenealey nominated Alix Rosenthal to serve as Vice President of the Elections Commission, Seconded by Commissioner Stowers. No further nominations. Public comment. None.
VOTE: Kenealey - Yea, Schulz - Yea, Rosenthal - Abstained, Shadoian - No, Stowers - Yea, Mendelson - Yea. Motion PASSED 4-1 with one Absention.

Public comments. Kay Burk said that elections have become worst since the current administration has come to power.

Having no further business, President Mendelson called for the MOTION to adjourn.

MEETING ADJOURNED

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The Elections Commission

July 19, 2002 (Special)


 Department of Elections
 Elections Commission

SPECIAL MEETING

AGENDA

ELECTION COMMISSION

Friday, July 19, 2002

4:00 P. M.

City Hall, Room 408

1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
 The Honorable Richard Shadoian, Vice President
 The Honorable Robert Kenealey
 The Honorable Alix Rosenthal
 The Honorable Thomas Schulz
 The Honorable Brenda Stowers

Shirley Rodriques
 COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown

Act, section 54956.9 and Sunshine Ordinance section 67.10(d).

6. CLOSED SESSION: Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal regarding her termination of employment. Number of possible cases: 1.
7. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
8. Discussion and possible action to review and adopt a new policy concerning selection of translated or transliterated Chinese names for candidates appearing on the San Francisco ballot.
9. Discussion and possible action on removal of Richard Shadoian as Vice President of the Commission.
10. Discussion and possible action to elect a Vice President of the Commission
11. Public comments on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

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Donna Hall, Clerk, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: Donna_Hall@ci.sf.ca.us. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

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The Elections Commission

July 19, 2002 (Special)

Department of Elections
Elections Commission



Approved: 8/7/02

City and County of San Francisco

Elections Commission

Special Meeting

Minutes of the Meeting Held

Friday, July 19, 2002

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1. President Mendelson called the meeting to order at 4:10 pm.

2. COMMISSION MEMBERS WERE PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, Michael Mendelson, and Brenda Stowers. ABSENT: Richard Shadoian.

3. Flag Salute

4. Public Comment: Peter Fries offered suggestions on the Voter Handbook; Richard Ow expressed the importance of Chinese given names to Chinese candidates.

5, 6, and 7. - The Commission decided not to have closed session.

8. Commissioner Kenealey MOVED to authorize the Acting Director to adopt a new policy concerning the selection of translated or transliterated Chinese names for candidates appearing on the San Francisco ballot. Seconded.

Acting Director Arntz explained the new policy. The DOE would accept what candidates present to the Department. There would be a review period in which the public can see the names and present challenges. The challenges would be examined by the Director, who would ask for substantiation of the name requested. The policy would be added to the candidate's guide. President Mendelson asked Mr. Arntz to bring the policy to the Tuesday, July 23, 2002 meeting.

RECESS for five minutes.

The proposed Chinese language policy was TABLED to the next meeting of the Commission.

President Mendelson appointed Brenda Stowers President of the Budget Policy Committee.

Public comment. Frederick Hobson asked when and where the next meeting will be held. Peter Fries asked about Korean and Mongolian candidates and the possibility of

building into the new policy language to cover these cultures as well.

ADJOURNED at 4:26 PM.

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07-19-02 P05 47 IN

SPECIAL MEETING

AGENDA
ELECTION COMMISSION

Tuesday, July 23, 2002

8:15 A. M.

City Hall, Room 48

(If a Hearing Room is available for this meeting,
that room's location will be posted at Room 48)

1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President

The Honorable Alix Rosenthal, Vice President

The Honorable Robert Kenealey

The Honorable Richard Shadoian

The Honorable Thomas Schulz

The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing on the agenda. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
6. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal regarding her termination of employment. Number of possible cases: 1.
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9. Public comments on matters appearing on the agenda.

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Subject: Meeting Cancelled and New Meeting Scheduled.

To: sfdocs@sfpl.lib.ca.us

X-Mailer: Lotus Notes Release 5.0.8 June 18, 2001

From: "Shirley Rodriques" <Shirley.Rodriques@sfgov.org>

Date: Mon, 22 Jul 2002 13:06:25 -0700

X-MIMETrack: Serialize by Router on lnh01a01/SFGOV(Release 5.0.8 |June 18, 2001) at 07/22/2002

01:06:48 PM

Please post that the Tuesday, July 23, 2002 Special Election Commission Meeting is now CANCELLED.

A new meeting should now be posted for Thursday. That notice is attached.

(See attached file: Agenda for 7-25-02.doc)

Attachment Converted: "c:\eudora\attach\Agenda for 7-25-02.doc"

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ELECTIONS COMMISSION
City and County of San Francisco



"Cancelled"

SPECIAL MEETING

AGENDA
ELECTION COMMISSION

Thursday, July 25, 2002
8:15 A. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Richard Shadoian
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

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2. Roll Call
3. Flag salute
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Subject: Elections Commision Posting was late
To: sfdocs@sfpl.lib.ca.us
X-Mailer: Lotus Notes Release 5.0.8 June 18, 2001
From: "Shirley Rodriques" <Shirley.Rodriques@sfgov.org>
Date: Mon, 22 Jul 2002 14:20:01 -0700
X-MIMETrack: Serialize by Router on lnh01a01/SFGOV(Release 5.0.8 |June 18, 2001) at
07/22/2002
02:20:56 PM

It has come to my attention that the posting I sent you a few hours ago was
too late to meet the 72 hour deadline. We are not posting it for Friday
morning. The announcement is attached. Thank you.

Shirley Rodriques
Commission Secretary

(See attached file: Agenda for 7-26-02.doc)
Attachment Converted: "c:\eudora\attach\Agenda for 7-26-02.doc"

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ELECTIONS COMMISSION
City and County of San Francisco



6/02
1 (Cancelled)
"agenda"
7/29/02

SPECIAL MEETING

AGENDA
ELECTION COMMISSION

Friday, July 26, 2002
8:15 A. M.
City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Richard Shadoian
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

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3. Flag salute
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Subject: Re: New Time and Location for Elections Commission Meeting on 7/29/02
To: sfdocs@sfpl.lib.ca.us
X-Mailer: Lotus Notes Release 5.0.8 June 18, 2001
From: "Shirley Rodriques" <Shirley.Rodriques@sfgov.org>
Date: Fri, 26 Jul 2002 14:25:03 -0700
X-MIMETrack: Serialize by Router on ln01a01/SFGOV(Release 5.0.8 |June 18, 2001) at
07/26/2002
02:28:05 PM

----- Forwarded by Shirley Rodriques/ELECTIONS/SFGOV on 07/26/2002 02:35 PM

Shirley
Rodriques
07/26/2002
Commission Meeting
12:09 PM
To: sfdocs@sfpl.org
cc:
Subject: Re: New Time and Location for Elections
on 7/29/02(Document link: Shirley Rodriques)

You are correct. I sent you an earlier agenda for 7-29-02 but it was returned to me for some reason. So, please remove the July 26 because it's been cancelled. The next Special meeting will be at 6:00 pm on Monday, July 29, 2002. Thanks for your assistance.

Shirley

sfdocs@sfpl.org
g
<Shirley.Rodriques@sfgov.org>
07/25/2002
Commission Meeting
04:01 PM
To: "Shirley Rodriques"
cc:
Subject: Re: New Time and Location for Elections
on 7/29/02

At 02:34 PM 7/25/02 -0700, you wrote:
>Please post this new cover page and agenda for the previously posted
>7/29/02 Meeting.
>Thank you.
>
>Shirley Rodriques
>Commission Secretary
>
>(See attached file: Agenda for 7-29-02.doc)
>Attachment Converted: "c:\eudora\attach\Agenda for 7-29-02.doc"
>

Shirley:

I would like to clarify your message about the previous agenda that you want to replace with this attachment for July 29, 2002. The only previous agenda that we have presently posted for the Election Commission is for July 26, 2002 at 8:15 a.m. Do you want us to take the July 26, 2002 of our

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posting binder and replace it with this agenda for 7/29/02?

Please respond ASAP!
Susan Hom Ph: 557-4471



SPECIAL MEETING

AGENDA
ELECTION COMMISSION

Monday, July 29, 2002

6:00 P.M.

City Hall, Room 416

1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President

The Honorable Alix Rosenthal, Vice President

The Honorable Robert Kenealey

The Honorable Richard Shadoian

The Honorable Thomas Schulz

The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

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The Elections Commission

July 29, 2002



Department of Elections
Elections Commission

Approved: 8/7/02

City and County of San Francisco
Elections Commission
Minutes of the Meeting held
July 29, 2002

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1. President Mendelson called the meeting to order at 6:15 pm.
2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Thomas Schulz, Brenda Stowers, and Michael Mendelson. ABSENT: Richard Shadoian and Alix Rosenthal.
3. Flag salute
4. Public comment. None
8. This item was taken out of order. Discussion and possible action to review and adopt a new policy concerning selection of translated and transliterated Chinese names for candidates appearing on the San Francisco ballot.

Acting Director John Arntz presented his proposed policy for selection of translated and transliterated Chinese names for candidates. The new policy allows candidates to provide their name in Chinese characters. If a member of the public challenges the name, the Director may ask for supporting documentation from the candidate that demonstrates that the submitted name is the name by which the candidate is consistently identified in the Chinese community and press. For the November 5, 2002 election, candidates would submit their Chinese name by August 9th. These names would be available for public inspection on August 26. Challenges could be made before noon on August 27. The Director would make a determination by noon August 30 and that determination would be final.

MOVED to adopt the proposed policy for translated and transliterated Chinese names for candidates.

Acting Director Arntz will inform the public that the Chinese names will be available for inspection.

In response to questions about language requirements, Deputy City Attorney Julia Moll informed the Commission that the City is required, under Federal and local laws, to provide certain voter information in Chinese and Spanish. Currently, other languages are not covered by these laws.

A brief recess was called.

VOTE: PASSED unanimously.

5. It was discussed whether to go into Closed Session. DECISION: To go into Closed Session.

6. CLOSED SESSION - Commission convened the Closed Session at 6:39 pm. The Commission reconvened the Open Session at 7:20 pm.

7. Discussion whether to disclose Closed Session. The Commission decided not to disclose the Closed Session discussion pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

8. This item was heard earlier.

9. Public comment. None.

ADJOURNED 7:24 pm.

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AGENDA
ELECTION COMMISSION
Wednesday, August 7, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

7E-30-1023/7
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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and Possible Approval of Minutes for: June 5; June 29; July 16, 17, 19 and 29; and Budget Committee Minutes for June 4.

6. **Officers' Reports**

President -

- a. Report on the City and County of San Francisco vs. the Civil Service Commission and Tammy Haygood.

7. **Director's Report**

8. **Old Business**

- a. Discussion and possible action to request a supplemental appropriation from the Board of Supervisors for lease of real estate for the Department of Elections and any additional costs presented by the Director that are not covered in the Annual Appropriation. (**TABLED** from July 16th meeting.)
 - b. Discussion and possible action to support the Board of Supervisor's proposed legislation regarding paid ballot argument fees and submission deadlines. (**TABLED** from July 16th meeting.)
 - c. Discussion and possible action to appoint a Provisional Director.

9. **New Business**

- a. Discussion and Possible Action on the Acting Director's recommendation to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies on November 5, 2002.

- b. Discussion and possible action to request that the Board of Supervisors approve an application for funds under the California Voting Modernization Board Act (Proposition 41). The Department of Elections would use the funds to upgrade existing voting equipment or acquire new voting equipment so the Department could better serve voters with disabilities, or special language requirements, and implement the new system of instant run-off voting.
10. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
11. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.
12. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
13. Report by DHR on the process for selection of a Provisional Director for the Department of Elections. Marsha Stroop, from DHR, to report.
14. Discussion and possible action to initiate process for appointment of Provisional Director.
15. Public comments on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

August 7, 2002

City and County of San Francisco

= Elections Commission

(Approved: 9/18/02)

= Minutes of the Meeting held

August 7, 2002



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1. President Mendelson called the meeting to order at 6:15 pm.
2. **COMMISSION MEMBERS PRESENT:** Michael Mendelson, Alix Rosenthal, Thom Schulz, and Richard Shadoian. **ABSENT:** Robert Kenealey, Brenda Stowers.

ALSO PRESENT: Acting Director John Arntz and Deputy City Attorney Julia Moll.
3. Flag salute
4. Public comment. None
5. Approval of Minutes for June 5 and 29, July 16, 17, 19 and 29, and Budget Committee Minutes for June 4. President Mendelson asked that future Agendas, wherein Minutes are to be approved, include information whether the Minutes are for Special or Regular meetings. The Commission APPROVED all minutes with the EXCEPTION of the Budget Committee Minutes for June 4 because there was no quorum of Budget Committee members present to approve these minutes.
6. **Officers Reports.** President Mendelson reported briefly on the litigation involving the former Director of Elections. He advised that the case is moving through the legal process and that there is a Temporary Restraining Order in place that prevents the former Director from functioning in the capacity of Director and from entering the non public areas of the Department of Elections. The final determination of this case is expected on August 30, 2002 when the judge will make his ruling.

President Mendelson announced that Mr. David Howell, an expert in strategic planning with election departments throughout the State, has been working with Acting Director Arntz in analyzing and evaluating DOE components and will soon be presenting his findings and recommendations for the future development of the department.

7. **Director's Report.** Acting Director John Arntz reported that today is the last day for submission of measures for the ballot from the Board of Supervisors or the Mayor's Office. There are currently a total of 13 local measures and 7 State measures for the November election, prompting the need for four (4) ballot cards for the upcoming election. Friday is the

last day for nominations. The Ballot Simplification Committee has been meeting and their deadline appears to be attainable, he stated. The Sequoia printing contract has been secured and the order for paper submitted.

Vice President Rosenthal asked how the solicitation of poll workers was progressing. Mr. Arntz said that the requests were sent out a week ago and the staff person familiar with this activity told him that she expects 1/4 to 1/3 of all the workers to come from this mailing. The DOE will need to find the remaining poll workers through recruitment.

President Mendelson asked about the costs for the voter information pamphlet. Mr. Arntz said that with 13 local measures, the expectation is that there will be a high number of paid arguments. He warned that the postage for mailings may be double the budgeted amount. The Acting Director plans to meet with the post office representative to discuss costs. President Mendelson asked what will be the cost of producing the voter information pamphlet. Mr. Arntz stated that for this election the cost will be at least \$250,000. The President then asked what are the anticipated funds from the public. Mr. Arntz said that he expected, at the most, \$125,000. The President asked the Acting Director to survey what other counties do regarding their VIP and provide the Commission with a report of his findings. The Acting Director agreed that he would report back with the results of his survey.

Deputy City Attorney Julia Moll stated that San Francisco is the only city or county that provides for paid ballot arguments. President Mendelson asked her how our VIP compare in size to other counties. Ms. Moll replied that ours can be very voluminous in comparison to others because we have paid ballot arguments. President Mendelson acknowledged that the VIP is very "dear" to the San Francisco voting population but expressed his concern that it is a big part of the budget that could be better used in other areas. Commissioner Schulz agreed that the VIP has become troublesome, especially to postal carriers and asked the Deputy City Attorney to give a history of allowing paid ballot arguments. Ms. Moll explained that a legislative judgment was made that it was in the public interest to create a forum for political debate or local ballot measures. Anyone who wanted to submit an argument could do so. Essentially, she said, it is a government subsidized forum for political debate on local issues.

8. Old Business: Public Comment – Fred Ridell, coordinator with S.F. Common Cause said that City Hall should remain the center of election activity and that the public should have access.

8a. MOTION to request a supplemental appropriation from the Board of Supervisors for lease of real estate for the DOE and any additional real estate costs presented by the Director that are not covered in the Annual Appropriation. Discussion: Commissioner Schulz stated that it was important to get as much of the DOE operation under one roof as possible and not restrict observation of the process by doing so. Commissioner Rosenthal asked if there has been any discussion of what would remain at City Hall. Acting Director Arntz said that nothing in City Hall would be moved for the coming election. Only outside operations from other sites would be moved. He said citizens will find it easier to view the processes in the new location.

Commissioner Shadoian asked about the report from the State representative who was reviewing the DOE's space needs. Acting Director Arntz reported that the State representative was currently on vacation and that the report will probably be available by the end of August. Commissioner Shadoian then asked why the DOE was moving ahead with plans to relocate without the report. Acting Director Arntz answered that the DOE had past difficulties with activities at six different sites, and the need to have them under one roof was necessary for efficient operation of the department. President Mendelson asked if the State representative had given the Acting Director any indication of his recommendations regarding what the DOE should do regarding space. Mr. Arntz said that the representative created a process flow diagram for the DOE using City Hall as the base for operations. On that diagram, there were arrows pointing to many locations throughout the City. The Acting Director summarized that by placing these activities in one location the savings in time and money would be very advantageous and would pay for a large part of the lease of the one

location. Commissioner Shadoian asked if the Acting Director had been in contact with the Board of Supervisors about this proposal. Mr. Arntz replied that he had spoken with Supervisor Peskin, the Controller's Office the Real Estate Office and the Mayor's Budget Office and that everyone is favorable to the proposal. Mr. Arntz said that it was important to get the Commission's approval so that he could notify the Board of Supervisors before they take their summer break. The new site is at 16th Street and Florida Street.

Motion 080702-1

To request a supplemental appropriation from the Board of Supervisors for lease of real estate for the DOE and any additional real estate costs presented by the Director that are covered in the Annual Appropriation

(Rosenthal/Schulz) Motion PASSED unanimously.

8b. MOTION to support the Board of Supervisor's proposed legislation regarding paid ballot argument fees and submission deadlines. **Public Comment** – *Fred Ridell*, spoke in favor of the practice of giving discounts for early submissions and the importance of public dialogue. He said he opposed the Mayor's suggestion of increasing fees by ten percent. President Mendelson asked Deputy City Attorney Moll whether it was within the province of the Commission to establish or abolish discounts. Ms. Moll said that the Board of Supervisors established the fee structure in the Municipal Elections Code and that the Commission and the DOE have no discretion without further action by the Board. Mr. Ow stated that \$200 plus \$2.00 per word was outside his range.

Commissioner Rosenthal asked Deputy City Attorney Moll to explain the proposed legislation. Ms. Moll stated that currently there is a deadline of 67 days before election day; the new legislation would move up the date so that the DOE would have submissions four days earlier, the second change is the fee: Currently it is \$200 with \$2.00 per word, the new legislation would increase the fee to \$220 with \$2.20 per word. Commissioner Schulz asked if the discount would be eliminated and Ms. Moll answered that "there is no discount in the law".

Motion 080702-2

To support the Board of Supervisor's proposed legislation regarding paid ballot argument fees and submission deadlines.

(Rosenthal/Schulz) Motion PASSED unanimously

8c. President Mendelson stated that there will not be action on this item and introduced members of DHR who gave a report on the progress to appoint a Provisional Director of Elections.

Marsha Stroop, from DHR, reported that the City Charter Sec. 10.105 provides for provisional appointments for classified positions for which no eligible list exists and sets a three year limitation for provisional hires. She presented updated copies of the December 2001 procedures and explained the process for selection of a provisional appointment. She explained further that the provisional appointment does not provide any right or preference for permanent appointment. Ms. Stroop said recruitment for candidates is going forward. Commissioner Shadoian asked how many applicants had responded so far. Ms. Stroop answered that as of yesterday, there were two and that another is expected in a couple of days. Anna Borja added that the brochures were being printed and that a mass mailing was going out tomorrow to all registrars of voting in California – approximately 300 locations.

Commissioner Shadoian asked Ms. Stroop to explain the difference between "Acting" and "Provisional" Director. She said that acting is used to fill a vacancy with someone within an organization along with a request that that person receive acting assignment pay – a 5% differential which the person gets after serving for a brief period of time. This must be approved by the Compensation Unit of DHR. A Provisional appointment is an actual appointment to a vacant position with a different payment differential. Commissioner Shadoian asked if the duties and responsibilities are different for these assignments. Ms. Stroop replied that in general the acting assignment is when someone is ill or on personal

leave and doesn't necessarily fulfill all the duties of the permanently assigned employee. Commissioner Shadoian asked if the acting director can have all the duties and functions of a full time director. Ms. Stroop responded that this is true as far as she was aware and that she couldn't speak beyond that.

President Mendelson referred this item to the Personnel Policy Committee to proceed with initiating the process for selection of a Provisional Director of Elections.

9. New Business:

a. Discussion and Possible Action on the Acting Director's recommendation to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies on November 5, 2002. **TABLED.**

b. Discussion and possible action to request that the Board of Supervisors approve an application for funds under the California Voting Modernization Board Act (Proposition 41). The Department of Elections would use the funds to upgrade existing voting equipment or acquire new voting equipment so the Department could better serve voters with disabilities, or special language requirements, and implement the new system of instant run-off voting. The Commission reviewed the resolution put forward by Supervisor Peskin.

MOTION 080702-3

To request that the Board of Supervisors approve an application for funds under the California Voting Modernization Board Act (Proposition 41). The Department of Elections would use the funds to upgrade existing voting equipment or acquire new voting equipment so the Department could better serve voters with disabilities, or special language requirements, and implement the new system of instant run-off voting. **PASSED** unanimously.

MEETING ADJOURNED

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AGENDA
ELECTION COMMISSION
Wednesday, August 21, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. **Officers' Reports**
6. **Committee Reports**

- a. Report by the Personnel Committee regarding recommendation for Provisional Director.

Director's Report

- a. Presentation of the Elections' Plan for the November 2002 election.

8. Old Business

- a. Discussion and Possible Action on the Acting Director's recommendation to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies and other duties for the November 5, 2002. (**TABLED** from August 7, 2002 meeting)
 - b. Discussion and possible action to appoint a Provisional Director.

9. New Business

10. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
11. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); litigation in the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.

12. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
13. Public comments on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

August 21, 2002

Department of Elections
Elections Commission



Approved: 9/18/02

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City and County of San Francisco
Elections Commission

APR 13 2004

Minutes of the Meeting held
August 21, 2002

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1. President Mendelson called the meeting to order at 7:01 pm.
2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Thomas Schulz, Brenda Stowers, Richard Shadoian, Alix Rosenthal and Michael Mendelson. ABSENT: none.
3. FLAG SALUTE
4. PUBLIC COMMENT. None
5. OFFICERS' REPORTS: None
6. COMMITTEE REPORTS:
 - a. Budget Policy Committee - Commissioner Stowers reported that the Committee is in the process of determining from where funds will come to cover the hiring of the Howard Rice firm which is representing the City in litigation regarding the removal of the former Director of Elections (DOE). She said that she expects as much as possible of the funds to come from the Elections Department's budget.
 - b. Personnel Policy Committee - Commissioner Schulz reported that the Committee was scheduled to meet on August 12th and Commissioner Shadoian unexplainedly did not attend. Even though there was no quorum, the Department of Human Resources gave a presentation explaining the regular process for selecting provisional employees. The general process was not designed for selection of a department head, such as the Director of Elections.

Commissioner Schulz commended Deputy City Attorney Julie Moll for subsequently working with the Department of Human Resources (DHR) to clarify how DHR and Commission should proceed. The process will also serve as a model for selecting a permanent Director. Commissioner Schulz advised that he has personally reviewed and approved the questions developed by DHR to examine the knowledge, abilities

and skills of the applicants. The Commission's next step is to form a selection committee from its members. DHR will be in contact with the Commission Secretary to advise her of the steps ahead.

Commissioner Schulz commended Marsha Stroop and Ann Marie Monroe of DHR for their assistance.

Commissioner Schulz reported further that he requested DHR to cap the list for the Provisional Director position and that candidates who have applied and met DHR's criteria be notified when the interviews for Provisional Director will be held.

Commissioner Stowers asked if the guidelines from DHR for the Provisional Director position were the same as those for the Permanent Director of Elections and do they follow the requirements of Proposition E. Commissioner Schulz answered in the affirmative.

Commissioner Shadoian suggested that the posting for Provisional Director be available for 30 days. Vice President Rosenthal reminded him that the posting opened the first week of August and Commissioner Schulz added that the announcement for the permanent Director of Elections position has been posted since June. A list of DHR qualified applicants for that position will be the source from which the Provisional candidates will come.

A Five Minute Recess was Called at 7:23 pm.
Meeting resumed at 7:27 pm.

7. DIRECTOR'S REPORT: Acting Director Arntz presented the Election Calendar for the November 2002 election. Commissioner Stowers asked if the calendar could be formatted with milestones and that the Commission be notified if any of the milestones are not met or when major problems arise. Mr. Arntz explained that all the tasks on the calendar are "major" ones and that smaller, unlisted tasks are derived from them. Commissioner Schulz asked if the Acting Director would also notify the Commission of any instance when the DOE might not meet a legal deadline. Mr. Arntz said that there was already in existence similar calendars and that he would be able to create one that answered Commissioner Schulz' concerns.

Vice President Rosenthal asked where the Acting Director was in the process of requesting supplementary funding to cover possible postage cost overruns. He said he will be informing the Board of Supervisors that postage will be an issue.

President Mendelson asked the Acting Director where there might be any other shortfalls. Mr. Arntz replied that there will be a shortage of funds for personnel but that has always been the case because the Department has only been funded in the past for the time periods around elections. He stated that the Department needs people to work throughout the year to complete the previous election and to plan and prepare for the next.

The Acting Director stated that the budget allows \$55,000 for return absentee ballot postage as the result of an ordinance recently passed by the City, but no one will know how much is actually needed until AFTER the ballots are returned. He will be working with the Post Office to determine the costs for the VIP (Voter Information Pamphlet). Commissioner Stowers asked if the ordinance stated that the Board of Supervisors was to pay for the absentee ballot return postage. Mr. Arntz said that he has been meeting with members of the Board, the Controller's Office and the Mayor's Budget Office about the DOE's funding since July 1st. The financial concerns of the department, he said, is not a secret and there will be no surprise when supplemental appropriations are requested.

Commissioner Shadoian left the meeting at 7:48 pm.

Mr. Arntz stated that the DOE has the funds for personnel, supplies and equipment for the November 2002 election. There is a reserve fund, set aside by the Mayor, for the run off election. The main concern is January, he said, because the Department has work to do and needs staff to do it.

President Mendelson asked about the status of costs for the VIP. Acting Director Arntz replied that postage estimates are as high as \$1.8M if they are mailed without sorting. However, the Department could save more than one half of this cost if it follows procedures for sorting for bulk mailings but Mr. Arntz hasn't finalized these possibilities with the Post Office to date.

President Mendelson asked about automobile costs for the November election. Mr. Arntz said he has been working closely with Purchasing to examine those needs and feels that those needs can be met for \$50,000 total for both elections (November and December). This is partly the result, he said, of negotiating with the Thrifty Car Rental Company to drop their price by 30%. The previous costs for elections was between \$150,000 to \$200,000.

Acting Director Arntz reported that he has ordered the printing of ballot cards and feels the costs, while the number of cards per ballot is greater, will be under what was spent for the last election. President Mendelson asked if the Acting Director has been keeping the Mayor's Office apprised of these attempts to reign in costs and his response was affirmative and the response from the Controller's Office, the Mayor's Office, Purchasing, Administrative Services and the Board has been favorable.

Commissioner Kenealey asked the Acting Director if he was preparing a supplemental for the personnel costs. Mr. Arntz replied that the Department is currently putting the information together to show how much will be spent per pay period and what is being funded for these pay periods and arrive at what the shortage will be. At that time, more money will be requested. Commissioner Kenealey clarified the Acting Director's statement by asking, "in other words, so that at the start of January of 2003, you will have a Department." Mr. Arntz agreed that this was his goal.

President Mendelson asked the Acting Director if this concept of a year-round Department was something new. Mr. Arntz agreed. He said that the concept is new to the employees because they experience stress when the election is over, new within City Hall because people look at the DOE as conducting activities only during an election, and new for the media who always ask if the Department is "funded sufficiently for the election". Mr. Arntz added that when an elections department focuses only on the election at hand, it falls behind in its preparations for the next election cycle.

Vice President Rosenthal reminded the Commission that by not having year-round staffing, the lack of "institutional memory" has been an issue for the Department.

8. OLD BUSINESS:

a. Commissioner Kenealey MOVED that the Commission approve the Acting Director's recommendation to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies and perform other duties for the November 5, 2002 election and the run-off following that election. Commissioner Rosenthal seconded the Motion.

Discussion: Mr. Arntz said that the reasoning for this request was to use it as a

"fill-in" because it is difficult to find qualified people in areas like computer support. Regarding Field Election Deputies (FEDs), he said that he didn't want a waiver that allowed ONLY City employees as FEDs, because he does not want the DOE to "arm twist" City workers. Commissioner Schulz asked if there were specific criteria for selecting the FEDs from the City employees. Mr. Arntz noted that the FEDs are so important that the more motivated they are, the better the job is done. Also, there are City workers who are skilled at handling the phones during election day. The Acting Director stated that he hopes to get 25 of the FEDs from a willing City workforce, this would be half of all the FEDs needed.

Public Comment: Peter Fries recalled his experience as a FED, and asked if these positions would be paid. Mr. Fries alerted the Commission that City workers' departments need to be notified if any of their staff will be working the elections.

Motion 082102-1

That the Commission approve the Acting Director's recommendation to seek a waiver from the Board of Supervisors under Charter Section 13.104.5, to permit City employees to serve as field election deputies and perform other duties for the November 5, 2002 election and the run-off following that election

(Kenealey/Rosenthal) MOTION PASSED by a vote of 4 to 1.

b. Commissioner Rosenthal MOVED, that the Commission approve closing the list for Provisional Director, SECONDED by Commissioner Kenealey.

Public Comment. Peter Fries spoke regarding the Commission's need to follow the procedures recommended by the Equal Employment Opportunity (EEO) division of DHR. Commissioner Schulz advised the Commission that the procedures have been followed and that Marsha Stroop's office has given the Commission approval to proceed.

Commissioner Rosenthal withdrew her MOTION.

President Mendelson requested a MOTION implementing the DHR's procedure used in selecting a Provisional Director of Elections including the following steps: (1) The Commission accept the questions and evaluation criteria developed by DHR, (2) The Commission determine an appropriate pool of provisional applicants, (3) The Commission appoint a selection committee comprised of Commissioners Rosenthal, Stowers, and Mendelson, (4) The Commission select a date certain to interview applicants, that date being September 10, 2002, (5) The selection committee make its recommendation to the full Commission at the next Commission meeting, (6) after appropriate discussion, the Commission will designate a Provisional Director by vote.

Public Comment. Peter Fries spoke about the diversity of the interview panel.

Discussion. Commissioner Schulz commented that he felt the three-person interview committee assignment was appropriate.

Motion 082102-2

To implement the DHR's procedure to use in selecting a Provisional Director of Elections including the steps described.

(Kenealey/Rosenthal) PASSED unanimously.

9. NEW BUSINESS: None

10. PUBLIC COMMENT. Peter Fries expressed his concern that the Budget Analyst and Controller should do fiscal analyses.

Commissioner Schulz announced that he will be on overseas travel during

September.

Meeting ADJOURNED at 8:20 pm.

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08-27-02P02:25 RCVD

SPECIAL MEETING

**AGENDA
ELECTION COMMISSION**

Friday, August 30, 2002

5:00 P. M.

City Hall, Room 408

1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President

The Honorable Alix Rosenthal, Vice President

The Honorable Robert Kenealey

The Honorable Richard Shadoian

The Honorable Thomas Schulz

The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing on the agenda.
5. Discussion and possible action whether to hold a Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
6. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal regarding her termination of employment. Number of possible cases: 1.
7. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
8. Public comments on matters appearing on the agenda.

ADJOURNMENT

Disability Access

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Lobbyist Registration and Reporting Requirements

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The Elections Commission

August 30, 2002 (Cancelled)

Department of Elections

Elections Commission

CANCELLED

SPECIAL MEETING

AGENDA

ELECTION COMMISSION

Friday, August 30, 2002

5:00 P. M.

City Hall, Room 408

1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President

The Honorable Alix Rosenthal, Vice President

The Honorable Robert Kenealey

The Honorable Richard Shadoian

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Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

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Ralph Brown
Act, section 54956.9 and Sunshine Ordinance section 67.10(d).

6. CLOSED SESSION: Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal regarding her termination of employment. Number of possible cases: 1.
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The Elections Commission

September 04, 2002 (Cancelled)

≡ Agenda

Department of Elections
Elections Commission



The regularly scheduled,
First Wednesday of the month meeting of the San Francisco Elections Commission
is CANCELLED.

The next regular meeting is
Wednesday, September 18, 2002.

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

September 09, 2002 (Cancelled)



Agenda
Department of Elections
Elections Commission

CANCELLED

SPECIAL MEETING

AGENDA
ELECTION COMMISSION
Monday, September 9, 2002
5:30 P. M.
City Hall, Room 316
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Richard Shadoian
The Honorable Thomas Schulz
The Honorable Brenda Stowers

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Flag salute
4. Public Comment on matters appearing on the agenda.

5. Discussion and possible action whether to hold a Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
6. CLOSED SESSION: Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); anticipated litigation as plaintiff or defendant in the matter of Tammy Haygood's appeal regarding her termination of employment. Number of possible cases: 1.
7. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
8. Discussion and possible action whether to institute "for cause" termination of the former Deputy of Elections, Tammy Haygood.
8. Public comments on matters appearing on the agenda.

ADJOURNMENT

Disability Access

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AGENDA
ELECTIONS COMMISSION

Special Meeting of the
Department of Human Resources Mandated
Interview Committee

Monday, September 16, 2002
12:00 P. M.

City Hall, Room 416
1 Dr. Carlton B. Goodlett Place

09-13-02P12355 PLVD

COMMISSIONERS

The Honorable Alix Rosenthal, Chair
The Honorable Brenda Stowers, Member
The Honorable Michael Mendelson, Member

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **Public Comment** on matters relevant to the closed session.
4. **CLOSED SESSION** pursuant to the Ralph Brown Act, Government Code section 54957 and the Sunshine Ordinance section 67.10(b):

PUBLIC EMPLOYEE APPOINTMENT/HIRING: Provisional Director, Department of Elections.

5. Reconvene in **OPEN SESSION**:
 - A. Possible report on action taken regarding Provisional Director, Department of Elections, pursuant to the Brown Act, Government Code section 54957.1 (a)(5) and the Sunshine Ordinance, San Francisco Administrative Code section 67.12(b)(4).
 - B. Vote to elect whether to disclose any or all discussions held in closed session pursuant to the Sunshine Ordinance, San Francisco Administrative Code section 67.12(a).
6. **Public comment** on matters relevant to the closed session.

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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

September 16, 2002 (Special)

Department of Elections
Elections Commission

City and County of San Francisco
Elections Commission
Approved: 10-02-02
Minutes of the Meeting held
September 16, 2002
12:00 P. M.
Special Meeting of the
Department of Human Resources Mandated
Interview Committee

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1. Commissioner Alix Rosenthal called the meeting to order.
2. COMMISSION MEMBERS PRESENT: President Michael Mendelson and Commissioner Brenda Stowers and Commissioner Alix Rosenthal.
3. PUBLIC COMMENT. None
4. MOVED to go into closed session pursuant to the Ralph Brown Act, Government Code section 54957 and the Sunshine Ordinance section 67.10 (b). The MOTION PASSED.

PUBLIC COMMENT. None

CLOSED SESSION held from 12:10 to 12:35 pm.

5. Reconvened into OPEN SESSION.

Commissioner Stowers moved not to disclose deliberations from closed session and that the committee make its recommendation for provisional director at the full Commission meeting Wednesday, September 18, 2002.

Public Comment: Dennis McKensie commended the work done by Acting Director John Arntz.

MOTION to not disclose closed session deliberations PASSED.

MEETING ADJOURNED at 12:45 pm.

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SEP 13 2002

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AGENDA
ELECTIONS COMMISSION
Wednesday, September 18, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

09-13-02P12-33 RCL

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **Public Comment** on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible approval of Elections Commission Minutes for: August 7, August 21; Budget Policy Committee minutes for June 4.
6. **Officers' Reports**
7. **Committee Reports**

Report on interviews for Provisional Director Department of Elections and recommendation for the position. (Commissioner Rosenthal)
8. **Director's Report**
 - A. Purchasing report on reduction of vehicle costs for upcoming elections. (Rick Ruvolo)
10. **Old Business - None**
11. **New Business**
 - A. Discussion and possible action on appointment of Provisional Director, Department of Elections.
 - B. Discussion and possible action on the adoption of Elections Department Policies and Procedures.
 - C. Discussion and possible action to approve the Election Plan for the November 5, 2002 election.
 - D. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
 - i. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); litigation in

the matter of Tammy Haygood's appeal to the Civil Service Commission regarding her termination of employment. Number of possible cases: 1.

ii. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.

13. **Public comment** on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

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The Elections Commission

September 18, 2002

Department of Elections
Elections Commission

City and County of San Francisco

Elections Commission

Approved: 10-02-02

Minutes of the Meeting held
September 18, 2002

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1. President Mendelson called the meeting to order at 7:01 pm.
2. COMMISSION MEMBERS PRESENT: Commissioner Robert Kenealey, Commissioner Brenda Stowers, Commissioner Richard Shadoian, Vice President Alix Rosenthal, President Michael Mendelson.
ABSENT: Commissioner Thomas Schulz.
3. FLAG SALUTE
4. PUBLIC COMMENT. Peter Fries spoke about a newspaper account that a prior meeting may have been illegal.
11. D President Mendelson asked that closed session be taken out of order.

PUBLIC COMMENT. Peter Fries spoke against going into closed session to accommodate counsel. Mr. Fries suggested counsel wait until the item is scheduled on the agenda.

Vice President Rosenthal replied that it would be better to talk to counsel now than to have counsel wait and charge the City for the time spent waiting for the agenda to reach this item.

MOTION to move into closed session PASSED.
Meeting went into closed session at 7:13 pm.
Meeting reconvened in open session at 7:42 pm.

MOTION 091802-1 - To disclose action taken in closed session. Vice President Rosenthal moved to disclose the action taken by the Commission. President Mendelson stated that during Closed session it was moved, seconded and passed that the Elections Commission waive the attorney client privilege regarding the February 21, 2002 opinion wherein the City Attorney advised the Elections Commission of its authority to appoint the Director of Elections. Roll Call Vote: Kenealey - yes, Rosenthal - yes, Stowers - yes, Shadoian - yes, Mendelson - yes. PASSED.

PUBLIC COMMENT: Peter Fries commented about his concerns about the order of items on the agenda.

5. MOTION to approve the Elections Commission Minutes for August 7 and 21.

Public Comment. Peter Fries asked why the Budget Committee minutes for June 4th were not included in this motion.

MOTION

That the Minutes for 8/7 and 8/21 be approved. PASSED.

MOTION to approve the Budget and Policy Committee Minutes for June 4.

Public Comment. Peter Fries stated that there could have been one vote for all the minutes.

MOTION

That the Minutes for the 6/4 Budget and Policy Committee be approved.

PASSED

6. OFFICERS' REPORTS: None

7. COMMITTEE REPORTS:

Personnel Policy Committee - Vice President Rosenthal stated that she had nothing to report at this point on the agenda but there was a report she would make under New Business.

Special Department of Human Resources (DHR) Mandated Committee for the Selection of Provisional Director - Vice President Rosenthal reported that this committee interviewed candidates for the Provision Director of Election position and voted to release the following statement: This special committee was composed of Commissioners Rosenthal, Stowers and Mendelson. This was a Department of Human Resources mandated special committee which was formed to recommend a provisional director. The special committee has selected Mr. John Arntz based on the criteria enumerated by DHR. The special committee utilized these criteria in the interviews with the individuals who applied for said position. The criteria used were listed on the back of the application for the provisional director. The interview process was intensive, thorough, face-to-face and in all matters consistent with the DHR regulations. The special committee makes the recommendation of John Arntz to the full Commission.

8. DIRECTOR'S REPORT: Mr. Arntz introduced Rick Ruvolo of the Green Fleet Team who reported that with an innovative partnership with Thrifty Car Rental, the City has negotiated a contract that will save 31% in rates compared to the last election. The Ford Motor Company has donated fifty (50) electric vehicles to support the 2002 elections. Additionally, Mr. Ruvolo reported that the DOE has been given access to 4 pool vehicles, two of which are electric Toyota RAV-4s.

Acting Director Arntz reported that the Department has the number of vehicles it needs for the November and December elections at a cost of \$50,000. The relationship with Central Shops has improved thanks to the efforts of DOE staff. President Mendelson asked what is the cost savings compared to the last election. Acting Director Arntz stated that over \$100,000 was spent on vehicles for last March's election alone.

Mr. Arntz reported that the ballots have been printed and he showed the Commission samples. All four ballots will be in house by next Monday. Having the ballots this early

allows the DOE staff to concentrate on other issues and challenges earlier. Poll worker and inspector recruitment is going well - fewer than 100 (total) more workers are needed. This number includes clerks as well. The Acting Director explained that there will, of course, be some turnover, so recruiting and assignments to polling places will continue.

Mr. Arntz reported that the Voter Information Pamphlet (VIP) is now being printed. It is expected that the VIP will be dropped off at the post office on September 23 to be mailed on September 26. This will give San Francisco voters the maximum amount of time to review the information - 40 days - before the election.

Additionally, contracts with all vendors have been prepared. Last year this was not in place. This is seen as a major achievement by the Department.

Registration cards have been updated. All but fifteen (15) Polling Places have been located.

President Mendelson asked about the cost of mailing the VIP. Acting Director Arntz replied that the DOE has worked with the Post Office and the Mailing Vendor. The price range is estimated at between \$500,000 and \$600,000 to mail these very large VIPs. President Mendelson asked what the cost had been during the last election. Mr. Arntz stated that the cost had been \$1.8 million. He said the Post Office has been very cooperative. Vice President Rosenthal asked what has been the savings due to purging of registration rolls? Mr. Arntz replied that 5,000 to 6,000 names have been purged. The names were purged because voters failed to reply after several notices were sent to the voter's address, the Post Office informed the DOE that the person has moved or the voter is registered in another county. Mr. Arntz replied that for these reasons, during the last two years, the number of voters have dropped from 480,000 to 430,000.

Vice President Rosenthal asked if the Acting Director had the final number regarding how many ballots were ordered. Mr. Arntz stated that he didn't remember the exact number but that it was around 2 million cards for the 4 card ballot - this is the first time San Francisco has had a four-card ballot. He said an extra 400,000 cards had to be ordered due to the extra card. Vice President Rosenthal asked how many were ordered last March. Acting Director Arntz responded that \$4.6 Million had been ordered for the March election. Commissioner Kenealey offered his congratulations to Mr. Arntz for his efforts to lower costs. Mr. Arntz stated that the congratulations belonged to the hard working DOE staff. Commissioners Rosenthal and Mendelson echoed Commissioner Kenealey's congratulations.

9. OLD BUSINESS: - None

10. NEW BUSINESS

A. Discussion and possible action to appoint a Provisional Director of the Department of Elections.

Public Comment: Kay Burke stated that the number of ballots needed for past March's election was greater because it was a primary. Peter Fries stated that the Director's Report should be enumerated on the agenda. Francisco De Costa congratulated the Department and the Commission and said that transparency and stability are important. Espanola Jackson said she was elated with the Acting Director's report and that the upcoming election looks to be a very good one. Ms. Jackson also asked to be put on the Commission's mailing list.

MOTION 091802-2 (Rosenthal/Stowers)

To appoint John Arntz to the position of Provisional Director. DISCUSSION: Vice

President Rosenthal reiterated that the special committee found that John Arntz was the most qualified candidate and that the committee gives its strongest recommendation that Mr. Arntz be appointed to the position.

Public Comment: Peter Fries stated that he had public comment on this item and that the Commission didn't ask for public comment on item #7. President Mendelson asked that the record show that public comment had been requested and taken on this item before Mr. Fries got up to speak.

MOTION 091802-2, PASSED unanimously.

B. Discussion and possible action to adopt Elections Department Policies and Procedures. President Mendelson asked Acting Director Arntz to give an overview of the policies and procedures. Mr. Arntz stated that this is the first time the DOE had attempted to put such a project together and it was not complete yet. He expects that it will take one to two years to have it completed. All the managers in the Department came together to review what is done in their areas and put that information on paper to describe the procedures and policies of those areas so that the public or members of the Department can come and look at the policies and procedures. President Mendelson asked Mr. Arntz if these were the procedures he will be using in the upcoming election and Mr. Arntz stated that they were.

Commissioner Stowers asked if DHR had been involved in putting together the policies and procedures. Mr. Arntz answered that DHR would not be involved in the procedures portion, however the policies are very basic, (i.e. show up to work; if you are not coming in to work, let your manager know) but he will show them to DHR. Mr. Arntz stated that what was being presented today was an operations manual to show the tasks that must be done to implement an election. The Acting Director said that the DOE plans to incorporate the personnel policies manual of DHR.

President Mendelson stated that he would like to see this item passed as a general statement of operations policy. Commissioner Shadoian asked if the City Attorney has reviewed it. Mr. Arntz answered that the City Attorney had not. Commissioner Stowers stated that these seem to be compliance concerns and asked the Acting Director what were his plans regarding compliance. Mr. Arntz answered that he will show the materials to the City Attorney. Commissioner Shadoian asked that the page numbering be consecutive. Vice President Rosenthal MOVED that the Policies and Procedures for 2002 be adopted.

Public Comment: Kay Burke voiced concerns for recruitment and training for election day. Peter Fries said that he was confused by the agenda's description of the approval of the policies.

MOTION 091802-3 (Rosenthal/Kenealey)
To adopt Elections Department Policies and Procedures.
PASSED unanimously.

President Mendelson asked the Acting Director to elaborate on his plans for personnel policies. Mr. Arntz stated that he plans to adopt the policies put forth by DHR which are the standard for all City departments. President Mendelson asked if these standard rules had been applied in the Department in the past. Mr. Arntz answered that this had not been the case on a consistent basis. Every employee of the Department has now received the manual and signed off on it.

Public Comment: Peter Fries said that union MOUs and CSC Rules govern the rights and duties of employees.

FIFTEEN MINUTE BREAK 8:30 PM - 8:45 PM

MOTION 091802-4 (Mendelson)

To adopt the City's DHR Employee Handbook dated July 2002 as the general guidelines for the Elections Department in its relations with employees and as part of the Policies and Procedures for the Department. PASSED. (one dissenting vote - Commissioner Shadoian)

C. Discussion and possible action to approve the Election Plan for the November 5, 2002 election. TABLED until next meeting. President Mendelson asked the Acting Director to put the information in a cohesive format and have it available to the Commission at least one week prior.

MEETING ADJOURNED at 8:55 pm.

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ELECTIONS COMMISSION
City and County of San Francisco



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AGENDA
ELECTION COMMISSION
Wednesday, October 2, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

09-27-02A11:37 RCVD

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **Public Comment** on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. **Possible Closed Session** to confer with counsel.
 - i. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
 - ii. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); litigation in the matter of Tammy Haygood's termination of employment. Number of possible cases: 1.
 - iii. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
6. Discussion and possible approval of Election Commission Minutes for: Special Meeting held September 16, 2002 and regular meeting held on September 18, 2002.
7. **Director's Report**
 - Preparation for the November 5, 2002 Election
 - Voter Services Division
 - Campaign Services Division
 - Election Support Services Division
 - Management of Information Systems (MIS)
 - Purchasing
 - Personnel
8. **Old Business**
 - i. Discussion and possible action to approve the Election Plan for the November 5, 2002 election.
9. **New Business**
 - i. Discussion and possible action on a general Commission policy establishing a year-round staffed Elections Department; further, that such year-round Department staff have civil service status; further, the Director should report to the Commission, regarding structure, civil service status, and other significant factors necessary to create a politically independent, year-round

Elections Department within a reasonable time after the last election this year.

- ii. Discussion and possible action to adopt a Public Notification Policy.
- iii. Discussion and possible action to obtain the services of a Parliamentarian.
- iv. Discussion and possible action to adopt a Voter Fraud Policy.

10. **Items For Future Agendas**

Commissioners may suggest items for future agendas. Items will be discussed only to the extent to decide whether to put the items on the agenda for a future meeting.

11. **Public comment** on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Donna Hall, Clerk, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: Donna_Hall@ci.sf.ca.us. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



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Elections Commission >> Meeting Information >> Election Commission (Full Commission)



The Elections Commission

October 02, 2002

City and County of San Francisco

Elections Commission

(Approved: 10-23-02)

Minutes of the Meeting held

October 2, 2002



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1. President Mendelson called the meeting to order at 7:02 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioner Robert Kenealey, Commissioner Brenda Stowers, Commissioner Richard Shadoian, Vice President Alix Rosenthal, President Michael Mendelson.
ABSENT: Commissioner Thomas Schulz.
3. **FLAG SALUTE**
4. **PUBLIC COMMENT.** None.
5. President Mendelson stated that there was no need to confer with counsel and therefore there would be no closed session.
6. **MOTION** to approve the Elections Commission Minutes for the Special Meeting held September 16, 2002 and the regular meeting held on September 18, 2002.

Public Comment. None.

MOTION 10-02-02-1

That the Minutes for 9/16/02 and 9/18/02 be approved. **PASSED.**

8. **DIRECTOR'S REPORT:** Mr. Arntz reported the following.

Voter Service Division - Current on registration cards and applications for absentee voting. There is no backlog.

Campaign Services Division - Initiated phone bank system last week, hired two people. More hirings will take place this week. Total will be 10 people by Election Day. Phone calls have been steady but not heavy.

Election Support Services Division - Poll worker recruiting has been successful. Currently all positions are filled. There is a need for a few Spanish-speaking staff. The Poll Worker Manual has been completed - the information is now more concise and condensed, repetition from previous versions was removed. The cost to print was \$8,000 compared to the \$35,000 cost for March.

Management of Information Systems (MIS) - Software used for registration data

was updated last week and has been tested. It's now in use by the entire department.

Purchasing - We are caught up – there are no outstanding purchases anticipated present.

Personnel - *Linda Crawford* gave a presentation outlining the Staffing Plan. She stated that, to her knowledge, the DOE has never had a plan for staffing of this kind. The plan shows the number of staff per pay period and plots the increase to the date of the election and beyond. Ms. Crawford gave credit to the DOE's managers for the staffing being on track. Staffing levels have been closely monitored by the managers and the 124 temporary employees originally thought to be needed may now only be 120 workers. Ms. Crawford explained the year-round staffing proposal for 18 core staff who would remain after December to prepare for the next election and implementation of the new touch screen voting system.

Commissioner Stowers asked if temporary employees were from the DOE budget or are they employees from other departments. Linda Crawford answered that these employees come from the DOE temporary budget plan. On Election Night there are temporary workers who come from an outside agency who are paid from a contract that is not part of the staffing budget. Ms. Crawford added that overtime is not shown on the plan.

President Mendelson asked how overtime was determined. Acting Director Arntz answered that the DOE is working to not have overtime. There are isolated instances like upgrading software over a weekend or having a VIP so big that long hours were necessary to have it completed on time, but basically there should not be the hours of overtime seen in past elections. Staff who feel that they need to work overtime must make their case directly to Mr. Arntz who will make the decision.

In the past, Mr. Arntz explained, there would be over 200 people packed shoulder to shoulder, running around the department at this point before an election, trying to figure out what to do next. But due to the DOE's careful planning for this election, other City Hall staff have commented on their surprise to see how peaceful and under control the department is. Mr. Arntz credited the managers and their feeling of being challenged to create their own plans to get the work done. He stressed that the budget for personnel for the runoff election is in a reserve fund, therefore it's not from the baseline budget. The DOE is being very careful to track the costs of the runoff to get the funds from the reserve. Commissioner Kenealey asked how these reserve funds get released. Mr. Arntz said the Mayor's office sets up the fund and the complete process is not clear, but the Board of Supervisors may also be involved.

Vice President Rosenthal complemented the Acting Director and the DOE saying that the calendar and the planning was "fabulous and shows a lot of foresight".

Preparation for the November 5, 2002 – The biggest item is the Voter Information Pamphlets (VIP). All the ballots are now in for the election and next Monday is the first day for early voting. President Mendelson asked how San Francisco is doing in relation to the other counties in the State. Mr. Arntz replied that we are the first county in the state to receive its optech cards. In fact, San Mateo County, which always likes to say they do things better than San Francisco, is just getting theirs from the printer! President Mendelson asked how this compares to the last election. Mr. Arntz answered that some of the March ballots weren't received until the day of the election. Each Commissioner was given a copy of the Voter Information Pamphlet.

President Mendelson asked the Acting Director to give a synopsis of where the department is this year compared to the last election regarding the VIP. In the past, Mr. Arntz said, the department had the VIP two weeks before the election. This time we have them a month before the election and the mailing process has already

begun. This is the largest VIP in memory. Mr. Arntz displayed VIP's from other counties. The San Francisco VIP has from 275 to 290 pages, depending on ballot type. Sacramento's has 47 pages. Other counties were similar in size to Sacramento, including Los Angeles County. San Francisco is the only county with paid arguments in the VIP – this accounts for its great size. There has been a lot of national media interest. Vice President Rosenthal asked if the press angle has been one of ridicule against the City. The Acting Director said the interest tended to be one of "wonderment".

Mr. Arntz told the Commission that the VIP is also translated into Chinese and Spanish but the paid arguments in those languages are not sent unless they are requested by a voter. Chinese requests have been running at about 20,000 and Spanish requests are running at about 3,500.

President Mendelson asked about postage costs for mailing the VIPs. Acting Director Arntz said for this election, because the department met and negotiated with the post office, the cost to mail the VIP is 30 cents each. This is because the Post Office walked DOE staff through the process and showed how money could be saved. The DOE's original estimates for total VIP postage cost was \$1.8 million. Now the cost will probably be only \$150,000. Last year, for a much smaller, and lighter weight VIP, the cost was \$200,000. Mr. Arntz credits the cost reduction to DOE's good relationship with the Post Office.

Acting Director Arntz explained the incredible challenge that paid arguments pose to the Department to receive, format, process and print. There are 346 paid arguments in San Francisco's current VIP, and the DOE was able to produce the VIP in three weeks.

Vice President Rosenthal asked if the Acting Director could, at a future date, provide a report comparing San Francisco's costs for its VIP and other counties. Mr. Arntz replied that he already had comparisons. For example, Sacramento pays \$200,000 to create and mail its pamphlet. Mr. Arntz held up the Sacramento VIP which is much smaller in dimension to the City's.

Mr. Arntz reported that he appeared before the Rules Committee on 10/01/02 and spoke regarding the waiver for City employees to work for the Elections Department during the next election. The new version of the waiver states that people who are civil servants but not "at will" employees, can work as FEDs (Field Election Deputies). In addition, people from the City Attorney's Office who are at will employees can assist the DOE but cannot work as FEDs.

Mr. Arntz also spoke on "retallying" and "recanvassing" of ballots when he was before the Rules Committee. He explained that he had been in discussions with the Secretary of State for the last two months and expressed to him the difficulty to recanvass the November 2000 election due to the disorganization of the cards and materials, and the lack of data from which to draw upon. The Secretary of State, although not pleased by this information, has accepted this explanation and has withdrawn his interest in the recanvassing. However, the Rules Committee has on its agenda a recanvassing and retallying of the November 2000 election. A recanvass is comparing the cards on hand with the number of cards purchased. A retally is a counting of each vote. This issue was held over to the next Rules Committee meeting which will take place after the election.

President Mendelson asked why the Rules Committee was interested in a retally. Mr. Arntz stated that there was a lot of attention drawn to that particular election as people want to insure the integrity of that election. Mr. Mendelson asked if the Committee was aware of the potential cost to retally. Mr. Arntz said that there had been a bid process and only one vendor applied. That three stage bid was \$250,000 to do both a retally and recanvass.

Deputy City Attorney Julia Moll explained the terms further. She explained that a "recount" is as a term of art under state and local law, and means that a new result will be stated. However, even if the ballots are recounted in this case, there will not be a different result. The results have already been certified for the November 2001 election. There cannot be a change in who was elected or which measure was passed. This is why the term "retally" is being used, because it would be a recount that would not change the official results of the election,

Vice President Rosenthal asked the Deputy City Attorney what the Elections Code says regarding destruction of voted ballots. Ms. Moll replied that this depends on type of election. She said ballots involving Federal offices must be retained for 22 months. Ballots for local and state offices must be retained for six months. Ms. Moll cautioned the DOE to not destroy the November 2000 ballots until the Secretary of State agrees that all of their concerns have been resolved.

Acting Director Arntz announced that actual ballots will be used for the early voting which begins on Monday, October 7th. Also, 43,000 permanent absentee ballots will be mailed out on that day. Commissioner Shadoian asked when was the last day to register to vote. Mr. Arntz answered that October 21 was the final day to register.

8. Old Business

Public Comment – *Peter Fries* asked Acting Director Arntz which employees had he stated could not work at FEDs. Mr. Arntz replied that City Attorneys could not work as FEDs because they are not Civil Servants.

MOTION 10-02-02-2

To approve the Election Plan for the November 5, 2002 election. **PASSED**

9. New Business

i. Discussion and possible action regarding a year-round Elections Department. President Mendelson passed the gavel to the Vice President so that he could make a special comment. President Mendelson stated that one of the major failings of the DC has been that it hasn't had full time staffing. The plan is to create a politically independent civil service department. Mr. Mendelson said that it was important to have professionalism and institutional memory but we must offer employees job security. The motion enables the DOE to be a full time department. Mr. Mendelson reported that David Howe of Strategica, who was provided to the DOE by the Secretary of State at no cost, is doing an evaluation and will have an evaluation for us at the next Commission meeting. Mr. Howe is very much in favor of full time staffing.

Public Comment – *Peter Fries* questioned the statement in the motion regarding "other significant factors necessary to create a politically independent, year-round Election Department".

RECESS for ten minutes at 7:50 pm

Meeting reconvened at 8:02 pm

MOTION 10-02-02-3

To have a general Commission policy establishing a year-round staffed Elections Department; further, that such year-round Department staff have civil service status; further, the Director should report to the Commission, regarding structure, civil service status, and other significant factors necessary to create a politically independent, year-round Elections Department within a reasonable time after the last election this year.

PASSED.

ii. Discussion and possible action to adopt a Public Notification Policy. Vice President Rosenthal asked if the Public Notification Policy outlined by Commissioner Shadoian was consistent with what is currently being done in the Department. Mr. Arntz replied that all announcements are not currently being kept at the front desk, all media are not contacted when there's a news release because there are hundreds of small neighborhood newspapers and media outlets. The DOE does send the releases to the major outlets. The Department does not translate everything into Spanish and Chinese only material required by law to be translated. Announcements that are election related like poll worker recruitment, are translated into other languages. Vice President Rosenthal suggested that the policy may need some tailoring and suggested it be given to the Budget and Policy Committee. MOTION was made to refer this item to Committee, seconded by Commissioner Kenealey.

Public comment. *Peter Fries* advised the Commission that it already had a motion on the floor to adopt. President Mendelson advised Mr. Fries that he was incorrect. Mr. Mendelson stated that a main motion can be replaced by a subsidiary motion to refer to committee.

Commissioner Stowers stated that she wanted to make sure that details of such a policy comport with what is required of the DOE by law, is feasible and doesn't overly burden the staff. These issues can be examined in committee.

Commissioner Shadoian asked if it was possible that the committee meet before the next regular meeting of the Elections Commission.

MOTION 10-02-02-04

To refer the adoption of a Public Notification Policy to the Budget and Policy Committee
PASSED.

iii. Discussion and possible action to obtain the services of a Parliamentarian. Commissioner Shadoian made a MOTION to obtain the services of a Parliamentarian. There was NO SECOND. MOTION FAILED FOR WANT OF A SECOND.

Public comment. *Peter Fries* commented that "belt tightening" should not allow the hiring of a Parliamentarian.

iv. Discussion and possible action to adopt a voter fraud policy. Commissioner Shadoian made a MOTION to adopt this policy. Commissioner Rosenthal SECONDED. Commissioner Shadoian said that there was no policy in the Procedure and Policy Manual of the DOE to cover fraud. Commissioner Shadoian stated that at the last election, there were claims of voter fraud that were not followed up by the former Director. This policy would say that the DOE has a "zero tolerance for voter fraud and that all complaints will be turned over to the appropriate City or federal agencies to be investigated". Vice President Rosenthal stated that she was against voter fraud and the other commissioners were as well. She said it was extraneous to have a policy against voter fraud.

Deputy City Attorney Moll reminded the Commission that elections are highly regulated and that there are many laws on the books against voter fraud. She said there is no reason why the Commission couldn't make a policy restating those laws. Chapter 18 of the Elections Code deals with penalties for corruption of the voting process, corruption of voters, intimidation of voters, improper signature gathering, voter registration, nomination of candidates and more provisions for violations of general mandates imposed by the code.

Commissioner Shadoian stated that he was interested in a policy within the Department so that "if someone comes to the front desk with a complaint, that there is someplace that complaint goes."

Vice President Rosenthal suggested this issue be sent to the Budget and Policy Committee to consider at its next meeting.

MOTION 10-02-02-5 to refer the policy of voter fraud to the Budget and Policy Committee.

Public comment. *Espanola Jackson* said that Commissioner Shadoian's suggestion was a good one and that allegations of voter fraud was the reason the Commission was created. *Peter Fries* said that the Deputy City Attorney and Commission Vice President were trivializing the importance of a policy regarding voter fraud.

MOTION PASSED.

10. **Items for future agendas.** Commissioner Shadoian stated that the Personnel & Policy Committee adopted procedures for hiring a new Director of Elections several months ago and he'd like to see it brought before the full Commission.

Public comment. *Peter Fries* stated that he felt a policy on voter fraud was important

Meeting Adjourned at 8:28 pm.

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ELECTIONS COMMISSION
City and County of San Francisco



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yander

10-10-02 P02:55 4675

AGENDA
ELECTION COMMISSION
Wednesday, October 16, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

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 - iii. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
6. Discussion and possible approval of Election Commission Minutes for: October 2, 2002.
7. **Officers' Reports**

President's Report – General review of Election Department operational structure and general policy for Election Department's organization.
8. **Committee Reports**

Budget and Policy Committee – Report on recommendations for:

 - A Department of Elections Public Notification Policy
 - A policy of zero tolerance for voter fraud
9. **Director's Report**
 - Voter Services Division
 - Campaign Services Division
 - Election Support Services Division
 - Management of Information Systems (MIS)
 - Purchasing
 - Personnel
 - Preparation for the November 5, 2002 Election

10. **Unfinished Business**

- i. Discussion and possible action to adopt a Public Notification Policy.
- ii. Discussion and possible action to adopt a Voter Fraud Policy.

11. **New Business**

- i. Discussion and possible action to adopt a Commission policy that establishes a general Elections Department structure.
- ii. Presentation by David Howe, President, Strategica. This will be a report of Mr. Howe's findings regarding the Department's organization and facilities.

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CANCELLED

AGENDA
ELECTION COMMISSION
Wednesday, October 16, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

10-15-2002 10 30 AM
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ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **Public Comment** on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. **Possible Closed Session** to confer with counsel.
 - i. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
 - ii. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); litigation in the matter of Tammy Haygood's termination of employment. Number of possible cases: 1.
 - iii. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
6. Discussion and possible approval of Election Commission Minutes for: October 2, 2002.
7. **Officers' Reports**

President's Report – General review of Election Department operational structure and general policy for Election Department's organization.
8. **Committee Reports**

Budget and Policy Committee – Report on recommendations for:

 - A Department of Elections Public Notification Policy
 - A policy of zero tolerance for voter fraud
9. **Director's Report**
 - Voter Services Division
 - Campaign Services Division
 - Election Support Services Division
 - Management of Information Systems (MIS)
 - Purchasing
 - Personnel
 - Preparation for the November 5, 2002 Election

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- i. Discussion and possible action to adopt a Public Notification Policy.
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ELECTIONS COMMISSION
City and County of San Francisco



AGENDA
ELECTION COMMISSION
Wednesday, October 23, 2002
7:00 P. M.
City Hall, Room 263
1 Dr. Carlton B. Goodlett Place

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The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
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The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

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The Elections Commission

October 23, 2002

City and County of San Francisco
Elections Commission

(Approved: 11/20/02)

Minutes of the Meeting held
October 23, 2002



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1. President Mendelson called the meeting to order at 7:00 pm.

2. COMMISSION MEMBERS PRESENT: Commissioner Robert Kenealey, Commissioner Brenda Stowers, Commissioner Richard Shadoian, Vice President Alix Rosenthal, President Michael Mendelson.

ABSENT: Commissioner Thomas Schulz.

3. FLAG SALUTE

4. PUBLIC COMMENT. None.

5. President Mendelson stated that there was no need to confer with counsel and therefore there would be no closed session.

6. MOTION to approve the Elections Commission Minutes for the meeting held October 2, 2002. Commissioner Rosenthal moved to approve the minutes, Commissioner Shadoian seconded. PASSED.

Public Comment. None.

7. Officer's Reports

President Mendelson gave a report of the restructuring of the Department of Elections. The complete report is attached as an addendum #1 to these minutes.

8. Committee Reports

Commissioner Brenda Stowers reported that the Budget and Policy Committee met at 5:30 pm today. A motion was made at that meeting to recommend to the full Commission that it adopt a Notification Policy but there was no second and the motion died. There was no motion to recommend a policy for zero tolerance regarding Voter Fraud. *This means that neither policy made it out of the committee.*

9. Director's Report

Voter Services Division - to date, 1200 voters have come to the early voting counter. This is higher than the very low voter turn out in March. 16,000 absentee voter applications have been received, 700 remain to be processed. 14,000 registration cards have come in since the last Commission meeting - this is a high rate. These people are changing information or are new voters. Monday, October 21 was the deadline for voter registration.

Campaign Services Division - The observer guide is completed. This guide describes all the processes for an election such as how the absentee ballots are handled, the tabulation of votes that come into the computer room on election night, etc. The campaign services phone bank has been busy. We delivered over 440,000 voter information pamphlets (VIPs) to the Post Office beginning September 29 and ending on October 10. The Post Office advises that there are still routes to which the carriers have not delivered the pamphlets. These VIPs are so large, the carriers see them as catalogs - not time sensitive documents. The Post Office has been very supportive and has been regularly checking the various stations to see if the VIPs have gone out.

Next Wednesday, Campaign Services will hold an Open House. The public will be able to participate in guided tours of the department. The DOE has put out notices inviting people to attend. Eighteen members of the Grand Jury are expected to observe the election process this time, this is more than in previous elections, and they will be able to go wherever they want. But like all observers, they cannot touch ballots or rosters or ask questions of the staff. They will be able to speak to supervisors, but cannot interfere with the work of staff.

Election Support Services Division - There has been some turnover in the ranks of the poll workers, however, we have more than the sufficient numbers of clerks. 2700 poll workers have signed up and have been scheduled for classes. Two more inspectors are needed at the present time.

Management of Information Systems (MIS) - The logic and accuracy testing - where we test the vote counting systems - is complete. The report has been sent to the Secretary of State and they have certified it.

Purchasing - We are working to see that all of our purchases, contracts and invoices meet City standards. This is a learning process and we are working with everyone who is knowledgeable in this process to make sure we are compliant.

Personnel - The Election Day and Evening personnel list is complete. We know where people will be and what they will be doing and at what times. We will be putting together a post election personnel list on Friday which should be completed next week. In addition, we are preparing for the time when we will need to release many of the employees. There is always a lot of paper work involved in this activity. We have 134 part time people compared to March when the number was 250. The 250 did include 100 Field Election Deputies (FEDs). This time we have 50 FEDs included in the 134 employees for this upcoming election.

Preparation for the November 5, 2002 - The ballots have been put together for the Inspectors to pick up beginning next weekend. Each polling place will receive four boxes of cards because there are four cards to the ballot this time. We've executed the plan and now is the time to hand things over to the poll

workers. The planning with the Sheriffs is nearly complete. We have a few items such as communication protocols to hammer out, but personnel and logistics are complete.

Francee Covington held a Media Day yesterday in City Hall. Fourteen media representatives stopped by as well as City Hall communications staff to make sure the media had the tools necessary for reporting election night. I want to commend her for the best organized Media Day we've ever had.

Commissioner Kenealey asked the Director if the Commissioners would need special identification to be able to observe the election day activities. Director Arntz replied that special cards would be provided to the Commissioners.

Commissioner Shadoian asked the Director to explain the Election Observer Panel. Director Arntz reported that the panel is being put together. Notices have been sent out to political organizations and media. We are one of only a few of the counties in the State to have such a panel.

Commissioner Shadoian asked the Director about the Secretary of State's report. Director Arntz stated that he had sent it today and will provide copies to the Commissioners. Commissioner Shadoian also requested a copy of the previous report. The Director said he would provide this as well.

Public Comment

Peter Fries said that a motion should be put forward for action and discussion and after the commission makes its comments the public is invited to make comments and then the vote is taken.

9. Unfinished Business - None

10. New Business -

Commissioner Rosenthal stated that she had a copy of the organizational chart of the Department of Elections and that she wanted to make sure that there was the same chart available to the public attending this meeting. The Commission Secretary responded that copies had been made available on the public information table. The Commissioner then MOVED that the Commission adopt the Organizational Chart as its general elections department structure. Commissioner Kenealey seconded.

Mr. David Howe, the author of the Strategica Report in which the Organizational Chart is a part was introduced to speak. He explained that his Washington state- based, three person firm that specializes in strategic planning, organizational design and process redesign - works mostly with public sector clients. A good portion of their work is for California and Oregon election administrators. The California Secretary of State retained the company to do this report for San Francisco.

Mr. Howe explained that the scope of the project was to formulate an organizational structure and staffing plan to build up experience and expertise in elections. Also, he wanted to help develop a facilities plan to improve utilization of space, movement of materials and make a better logistical set up for the City. The plan was to develop an infrastructure for administering safe, secure, accurate and accessible elections as well. Mr. Howe recommended a year-round staff of permanent employees. He said he toured five of the six DOE

facilities and determined that three were substandard (one building was condemned). Further, he stated that the operations of the DOE have historically been treated as something that is temporary - "temporary" employees are brought in, the DOE finds "temporary" space, get the job done and then forgets about it. Mr. Howe explained that the attitude about how elections departments should work has changed in the last few years. It has become very apparent that the department must build a continuity of experience and expertise and to do this the department needs more permanent staff. In this way, the Department does not need to rebuild for each election and can hit the ground running. Additionally, the department must eliminate the distractions and risks of the substandard facilities and simplify the logistics as much as possible.

Mr. Howe said that the organizational structure he designed creates a rational grouping of functions and can be implemented with existing staff for the most part. He said that key stakeholders in the plan, such as DHR, have been very encouraging. The five key divisions are administration, logistics, voter services, campaign services, and technology. Mr. Howe recommends a staff of 30 with about half that number being managers. During the off season, the managers work as staff. When there's an election, the staff explodes to over 200 - with the same number of managers, which is a ratio of 17 managers to 200 staff. This makes a good and flexible organizational structure.

Mr. Howe stated that his recommendation regarding facilities is to create an elections operations center and reduce the number of facilities from six to three; minimize services in City Hall to candidate services and early voting; consolidate everything else into one facility to minimize the movement of materials and have visibility to the management structure in that one location.

Mr. Howe's Strategica Report is supplied as the second addendum to these minutes.

Commissioner Brenda Stowers asked why the storage facility in Alameda was not one of the sites Mr. Howe suggested be eliminated. Mr. Howe replied that this was a "dead end" facility. There is no movement of supplies once they are delivered there and archived for the required amount of time. Once that required time is met, the materials/ballots are destroyed. The cost for storage is good unless a cheaper one is found on the peninsula. He said that this was a minor issue and the Department had many more important ones to deal with first.

Commissioner Stowers asked if Mr. Howe worked with DHR to arrive at the classifications shown in the Organizational Chart. Mr. Howe answered that he had several meetings with Anna Borja of DHR who assisted him in making his determinations. The Commissioner then asked if the Commission should approve the DHR codes or does the Commission want to give that ability to the Director. President Mendelson said that the Director and Mr. Howe had worked together on the chart and that the Commission would ask the Director for his opinion of the classifications.

Commissioner Rosenthal thanked Mr. Howe and the Secretary of State's Office for providing his services.

Director Arntz thanked the Commission for allowing him the opportunity to present his comments on this report. He said he had worked very closely with Mr. Howe and the classifications meet with his approval.

Commissioner Rosenthal asked to withdraw her motion and present another instead. The Commissioner **MOVED** that the Commission adopt the organizational structure as presented by Strategica as the DOE's organizational structure as soon as is practicable after the fall 2002 election season. Commissioner Kenealey seconded this motion.

President Mendelson asked the Director how much time he and Mr. Howe had spent together to create the report. Mr. Arntz replied that many hours were spent for this purpose. The Director stated that Mr. Howe brought a lot of expertise and experience with other election departments, looking at the past and looking with an eye to the future of voting to the project.

Public Comment

Allen Nicholson, former foreman of the San Francisco Civil Grand Jury, which produced a report on the DOE a few years ago, strongly suggested reducing the number of precincts. *Linda Crawford*, personnel manager of the DOE, explained that trying to implement the organizational chart would not be a "slam dunk". She said procedures needed to be followed and would take awhile to implement. *Peter Fries* said that the presentation materials were unreadable and did not meet ADA requirements and the City was overrun with consultants.

MOTION 10-23-1

To adopt the organizational structure of the Strategica Organizational and Facilities Review, Appended as Exhibit Two, as the Organizational Chart of the Department of Elections and that its implementation begin as soon as practicable after the fall 2002 election. Roll Call Vote: Kenealey - Yes, Rosenthal - Yes, Stowers - Yes, Shadoian - Yes, Mendelson - Yes. **PASSED.**

11. Items for Future Agendas

Commissioner Shadoian suggested the Commission discuss HR 3295, the national bill on voting changes at a future meeting.

12. Public Comment

Peter Fries stated that the organizational chart was barely readable and that he felt that five deputy directors were too many for the size of the department. He asked if the chart meant that the City was hiring as an 1844 a "Logistica" consultant. President Mendelson advised Mr. Fries to put his question in writing and the Commission Secretary would see that his question is answered.

Meeting Adjourned at 8:19 pm.

-----Addendum: President Michael Mendelson's Report

I:

INTRODUCTION

The San Francisco Charter mandates the Election Commission oversee all federal, state and county elections; furthermore, the Charter authorizes the Commission to

set general policies for the Election Department. The Charter provision also mandates the Elections Department Director to run the Department's day-to-day operations.

II.

A BRIEF OVERVIEW OF THE ELECTIONS DEPARTMENT'S

DAY-TO-DAY OPERATIONS.

The Elections Department functions pursuant to its operation manual. That document demonstrates the length and breadth of the Department's day-to-day operations.

The Department operates in the personnel area including hiring, promotion, termination, etc. It deals regularly with the Department of Human Resources to implement the City and County's various policies in these areas.

The day-to-day operations require the Director deal with vendors who provide a multiplicity of goods and services including, but not limited to, ballot cards, printers who produce the Voter Information Pamphlet, translators who produce the various multilingual documents legally required.

Elections staffing necessitates the use of temporary employees. This use can reach a high of 300 plus during peak election periods. Such temporary election cadre, in turn, generate their own space requirements.

Staffing requirements also necessitate full time employees use. Typically, such full time employees manage various units that make up the department. Such full time cadre, in turn, generate space requirements. Full time staff, prior to election, maintain various activities necessary to make the election happen, i.e. contracts with vendors, production of the Voter Information Pamphlet, etc.

The Elections Department is an information rich environment. A tour of the Department's facilities demonstrates computer super abundance. These computers have both simplified and made more complex the election process. Simplification results from computer's inherent ability to store, classify, and disgorge information at almost the speed of light. Such ability means efficient, vote processing.

Complexity results from the Department's dependence on computer technology. Because computer breakdown can have a catastrophic effect on the election process, the department must maintain a technical cadre that oversees the complex computer network to ensure reliability during critical use periods.

The Election Department must have space available to process the ballot cards. Such processing takes various forms; for example, counting absentee ballots and associated activities. Ballot processing includes retention and storage of the voted and unvoted ballot cards. When one considers the Elections Department, by law, must order, literally, millions of cards and retain such cards for canvassing purposes and then store the used ballots in case of recount, ballot logistics is a major space and personnel element in the Elections Department's planning.

San Francisco is divisible into some 640 precincts. Each precinct, on average, has three (3) people administering a polling place. Each polling place must provide tables, chairs, voting booths and the voting machinery. As a result, the polling place furniture and equipment storage is a significant concern.

The previous enumeration of the various year-round and election day specific activities is not all-inclusive. The enumeration demonstrates the breadth and magnitude of elements that go to make up the Election Department's responsibility and areas where such responsibilities lie both year-round and on any given election day.

The year-round operation and election day specific activities are mosaic-like in their primary characteristics; that is, each activity is a small piece of a larger whole that, when viewed from a reasonable distance, make a complete picture. The picture's appearance is a function of successful completion and inclusion of each small piece into that whole. The measure of Elections Department success is how well each of the small, individual, statutorily mandated activities is carried out. If done well, the election process results in a fair, efficient, and expeditious result.

III.

THE COMMISSION'S COMMENCEMENT ACTIVITIES

The Commission's creation and commencement as a supervisory body over the Elections Department is a new phenomenon in San Francisco. Previously, the Elections Department was administered as a City Department under the City Administrator's aegis. After Proposition E's passage in 2001, the Election Department became a "stand alone" operation subject to the Commission's authority and general control.

Consequently the Commission, consisting of seven members, each selected by a different elected official, assumed the obligation to create a new, independent, Elections Department. Such obligation, necessarily included the duty to look beyond the day-to-day operations of the Department and to plan the Department's general structure and organization.

Such strategic planning meant the Commission analyzed and evaluated the present "non-stand alone" operation to determine its strengths and weaknesses. To facilitate this evaluation, the California Secretary of State, Bill Jones, and his able deputy, John Mott-Smith, provided the Commission with the formable services of David Howe, a consultant specializing in evaluation and analysis of election operations.

Mr. Howe's report is the lynch pin upon which this tale hangs. It provides the insight, analysis, and recommendations that make possible the orderly transition from a department managed by City government to a "stand alone" operation supervised by an independent commission.

Future stability and efficient department operation is dependent upon three (3) critical components, structure, staffing, and space. The space component i.e., square footage necessary to house certain Election Department operations is open and obvious. Presently, the Department is scattered about in various, disparate physical locations including Brooks Hall, Pier 29, 240 Van Ness Avenue and some storage facilities in Alameda County. The Department needs adequate space to process absentee ballots as well as to provide room to do other Department activities. Notably, placement of the Election Department's now scattered sites "under one roof" would have two salutary effects; first, it would provide easier access for observers to monitor the vote counting process; second, it would provide easier statutorily required Sheriff coverage. Such "under one roof" Election Department operation would, in no way, diminish the Election Department presence in City Hall and the Department's traditional election eve events there. Room 48 would continue to function as the filing and information center for the Department. The majority of Elections services carried out presently at that address would remain. The Elections Commission would also retain its presence at City Hall as well.

Presently, staffing exists on a somewhat arbitrary basis. As election time looms, more temporary employees are hired. The most explicit example of how this irrational system operates is the Memo To Finance Committee, March 20, 2002 Finance Committee Meeting. The Board of Supervisors budget analyst determined that:

Overall, the Department anticipates spending an estimated \$3,050,278 for *temporary salaries* in FY 2001-02, which is \$2,150,275 or *239 percent more than the \$900,000 originally budgeted.* (emphasis added)

The report continued:

In contrast, as shown above, the Department is underspending by \$534,144 or 38 *percent less than their budget of \$1,405,144 for permanent salaries,* because the Department of Elections has not filled 11.2 FTEs (full time employees) of their 24 FTE permanent budgeted positions, or a vacancy factor of 47 percent. *Instead, the Department has continued to use temporary staff to perform the duties of the permanently budgeted positions.* (emphasis added)

The report continued:

This is a recurring problem for the Department, and similarly resulted in significant overspending the temporary salaries and underspending the permanent salaries in the previous years.

The creation of a full time, year-round staff would clearly assist in cost savings as well as produce more efficient elections operations.

Because of the Elections Department's unique work pattern, the Commission will work with the Department of Human Resources to obtain its approval of special status for designated Election Department employees who would work during the Election Department up season.

Presently, employee status within the Department is a hodge podge of various statuses from full time civil service, to provisional, to acting, to temporary. Staffing review must take into account reform and systemization of employee status.

Ultimately, the efficiency and effectiveness of the Elections Department as a "stand alone" department results from the integration of space utilization and staffing under the broad aegis of the Department's structure. The Election Department's physical manifestation is its organizational chart. Previous Election Departments had no functioning operational chart.

The Commission must, at this relatively early time in its existence, given the Department's new "stand alone" status, emplace in a general department organizational plan, a year-round operation, that will result in an effective, efficient Department.

CONCLUSION

The voter created Elections Commission and its charter-granted authority to set general policies provides a unique opportunity to establish an election department that "stands alone" i.e. a department

that is free from outside influences, is autonomous in its operations, and is able to manage efficiently and effectively City, state, and federal elections.

The Commission has the authority to create general policies; further, it has the authority to ensure the means whereby its general policies are implemented are appropriate. The Commission must ensure that the Department's structure implements the Department's primary goal - fair, efficient, and effective elections; further, the Commission must insure the Department is properly staffed year-round to achieve success in the Department's primary goal.

The Commission previously passed two general policies; the first provided for The Department's "under one roof" operation and second provided for the Department's adherence to Civil Service personnel rules.

The Commission's last general policy obligation is to create and implement a general department structure that supports fully a "stand alone" elections department. With this last general policy in place, the commission has passed the general policies necessary to implement a successful transition from a government agency to an independent-Commission-regulated department.

Addendum #2: Strategica Report.

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The Elections Commission

November 06, 2002 (Cancelled)

Agenda

Department of Elections
Elections Commission



THE REGULARLY SCHEDULED FIRST WEDNESDAY OF THE MONTH MEETING OF THE SAN FRANCISCO ELECTIONS COMMISSION FOR WEDNESDAY, NOVEMBER 6, 2002 IS CANCELLED. THE NEXT SCHEDULED MEETING IS THE THIRD WEDNESDAY ON WEDNESDAY, NOVEMBER 20, 2002.

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ELECTIONS COMMISSION
City and County of San Francisco



SPECIAL NOTICE

ELECTIONS COMMISSION

Tuesday, November 19, 2002
1:00 P. M.
City Hall – Room 263
1 Dr. Carlton B. Goodlett Place

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Members of the Elections Commission will be attending the Board of Supervisor's Rules Committee Meeting at City Hall, Room 263 at 1:00 pm to hear discussion of items on the Rules Committee Agenda of interest to the Elections Commission.

ELECTIONS COMMISSION
City and County of San Francisco



0/02

AGENDA
ELECTION COMMISSION
Wednesday, November 20, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

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ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **Public Comment** on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible approval of Election Commission Minutes for: Election Commission Meeting and the Budget and Policy Committee Meeting held October 23, 2002.
6. **Officers' Reports**
 - President's report on the overall Election Department's functioning during the November 5, 2002 election.
7. **Director's Report**
 - Report of the November 5, 2002 Election
 - Voter Services Division
 - Campaign Services Division
 - Election Support Services Division
 - Management of Information Systems (MIS)
 - Purchasing
 - Personnel
8. **Items For Future Agendas**

Commissioners may suggest items for future agendas. Items will be discussed only to the extent to decide whether to put the items on the agenda for a future meeting.
9. **Public comment** on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Donna Hall, Clerk, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: Donna_Hall@ci.sf.ca.us. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

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The Elections Commission

November 20, 2002

City and County of San Francisco
= Elections Commission

Approved: 12-18-02

= Minutes of the Meeting held
November 20, 2002



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1. CALL TO ORDER. President Mendelson called the meeting to order at 7:05 pm.
2. COMMISSION MEMBERS PRESENT: Robert Kenealey, Thomas Schulz, Alix Rosenthal, Brenda Stowers and Michael Mendelson. ABSENT: Richard Shadoian.
3. FLAG SALUTE
4. Public Comment.

Peter Fries presented a document he created from the Strategica Review that was presented at the October 23, 2002 Elections Commission.
5. The Minutes for the Elections Commission Meeting and the Budget and Policy Committee Meeting held on October 23, 2002 were APPROVED.
6. Officer's Report

President Michael Mendelson reported on the overall functioning of the DOE (Department of Elections) during the November 5, 2002 election. He said that his comments were based on his own observations, and conversations with John Mott Smith of the Secretary of State's office and conversations with consultant Dwight Beattie. President Mendelson said that Section 14104 of the California Elections Code provides that the Commission ensure, through the Director of Elections, that a sufficient number of ballots be purchased. Statutorily, the DOE is mandated to purchase ballots equal to 75 percent of the number of registered voters - approximately 440,000. Because this election's ballot was four cards, it was a complicated ballot to scan. The four cards represented approximately 60 separate elections for which the DOE was responsible.

The Commissioner said that this is notable because Mayor Brown, in a recent news article compared San Francisco's election to San Mateo's which was not nor has ever been a four card election. San Francisco has had a tri-lingual ballot for a number of elections and this was the first time San Mateo has had a tri-lingual ballot.

The San Francisco Examiner stated that the DOE had not purchased the

required number of ballots even after The Examiner's reporter saw the bills and orders for those ballots that demonstrated that the DOE purchased the number of ballots required by law, and had more than enough ballots for all voters.

Regarding the claim that the DOE ran out of ballots on election day, Commissioner Mendelson stated that distribution is both an art and a craft. Approximately 630 polling places were provided 300 ballots each to start the day. The FEDs (Field Election Deputies) are responsible for delivering more ballots during the day. Phone calls came in that some polling places were "running out of ballots" and the FEDs delivered them. There were alternatives if a polling place was completely out of ballots: to go to the nearest polling place or to wait for more to be delivered.

Mr. Beattie and two representatives from the Secretary of State's office were on the scene and examined these situations and determined that the handling of these situations was appropriate and within the realm of good practice.

The Mayor stated that he had received emails and letters from "hundreds of people" who were unable to vote when they arrived at the polls. Commissioner Mendelson said he checked with the Mayor's office and found that those numbers were only 17. Only two concerned a shortage of ballots. He also checked with the City Attorney and the District Attorney's office at the suggestion of the Mayor's press secretary and discovered that neither office received a call from a voter who was not allowed to vote.

Commissioner Mendelson stated that the Mayor has suggested that the Secretary of State send someone to the DOE to help it run elections. In fact, John Mott-Smith, the Chief of Elections for the State of California, sent two representatives who were present during our election and validated that this was a good election.

The characterization of the disenfranchisement of thousands of voters and hundreds of complaints has not proved to be true. Commissioner Mendelson asked that anyone having such a complaint come to the Elections Department so that the DOE can attempt to determine what happened.

The Commissioner added that the Elections Commission has attempted to bring order to a process that has traditionally been one without order.

Regarding statements in the press that the previous Director had overspent and that the current Director didn't spend enough, the Commissioner stated that this election - where 50% voted as opposed to 28% in the last election, where there was the largest VIP (voter information pamphlet) in history, where the accuracy of votes were not contested - was significantly under budget.

8. Director's Report:

Director Arntz reported that he is doing a review of the November 5th election and working to complete the canvass as well as gearing up for the December run-off. Overall, the staff is doing a "fantastic" job. The department is calm and is progressing through the canvass.

Already 11,000 absentee ballots have been mailed for the December election. The VIP is ready and will be mailed out by this Friday. The ballots for the run-off are already in house. This shows that the staff not only knew what had to be done for the November election but for December as well, and did it. This is

the result of everyone sitting down and putting together a plan. It was a five to six month progression that began before November.

On October 7th, we sent out 43,000 absentee ballots to the permanent absentee voters for the November election. Normally you get back about 25% within the first week. This year, we had only 2,000 ballots returned after two weeks. During the week before the election, only 6000 absentee ballots were returned on Monday and fewer every day there after. Twenty-four thousand were turned in on election day. It appeared that there would be low voter turnout for November, however, on election day we had to set up four extra terminals at the early voting counter in City Hall to meet the demand. Some voters had to wait for 1 to 1 ½ hours because so many people showed up at City Hall to vote. Other polling places in the City experienced the same high voter turn out. People waited until the last minute to vote, both at the polls and by absentee voting.

All but 14 precincts were open at 7 am, staffed with over 3000 poll workers, 550 bi-lingual Chinese and 150 Spanish-speaking poll workers. This exceed what the DOJ (Department of Justice) required. Ballot deliveries, due to the size and weight of the ballots, were scheduled throughout the day. In the evening there was a huge rush of voters going to vote. Usually you expect about 50% of your voters at this time, however this November the number was more than 65 percent.

The results of the balloting were available by 12:20 am, even with this unexpected large voter turn out. This is much earlier than in the past and the final results were sent to the SOS (Secretary of State) by 12:40 am. San Francisco reported earlier than surrounding counties - even those with touch screens.

Last year, people complained that they couldn't closely observe at Pier 29. This year a wider area was set up so the public could observe the processing when cards were delivered. This year it was closed at 1:00 am. Last year it never closed.

The canvass will be completed ten days before it is required to be completed by law. This is because of the good planning and execution done by staff. I am very proud of the Department of Elections staff.

The fourth card was a huge issue. The bags sent to the inspectors to open the polls weighed almost 100 pounds. This is why we didn't flood the precincts with a lot of ballots. Every additional ballot delivery added to the weight of the materials poll workers had to handle. You also have to consider those who have to pick up those ballots at the end of election day and take them to the processing center and then to Brooks' Hall. This is why we had a delivery schedule for Elections Day, to balance the need to have enough ballots against the problem of overloading poll workers and other elections workers who had difficulty handling such heavy materials.

There will be changes for the December run-off. FEDs will not leave the territories at 5:00 pm. They will stay out for the entire election.

We came in under budget in all areas except staffing. The staffing problem was expected because the DOE is never budgeted for a full year. We were very careful regarding how we assigned people to tasks and then we removed them and put them on other tasks so that we didn't have too many people at one job.

The ballot for December will be one card the size of a regular 8 ½ by 11 sheet of paper. This time the boxes delivered to the precincts will weight about 8 pounds instead of 22 pounds. Each inspector can be supplied, in advance, with all ballots he or she will need for the entire day, and the full supply will weigh less than 30 pounds.

President Mendelson - announced that the Secretary of State has selected Director Arntz as one of fourteen people to serve on a committee that will be responsible for the disbursement of \$350 M for voting goods and services throughout the state. He said that this shows the confidence the SOS has in Director Arntz.

Commissioner Kenealey - asked how many precincts actually had an inadequate number of ballots. Director Arntz replied that ballots were delivered throughout the day to the precincts. He said there were a handful of sites that had a problem and that he would be looking into what may have happened. However, the great majority of precincts had no problems. The canvas will provide the DOE with answers to this question.

Commissioner Schulz - gave kudos to the DOE and to the voters. He said that he visited many sites during Election Day and that people were so eager to vote that many sat on the curb to mark their ballots. One problem, the Commissioner stated that he observed, was that the ballots were extremely sensitive to mis-marks. When this occurred on one of the cards, all four had to be marked "spoiled" and the voter had to start all over again.

Director Arntz added that there was a lot of ballot card spoilage during the November Election. He reported that 50,000 cards were spoiled compared with 4000 last November.

Commissioner Rosenthal - stated that the DOE was under a microscope for this November's Election and many people, especially the press were looking for any small thing to go wrong. She said the Department did a great job.

President Mendelson - stated that there is an ongoing investigation into whether some of the calls received during Election Night complaining of an absence of ballots may have been untrue. If the investigation finds any irregularities or sabotage, he will report them to the Commission.

9. Public Comment

Chris Bowman, former member of the Citizens Advisory Committee on Elections, said that the of turnout for this election should be compared to the last gubernatorial election in 1998 when 55% of the voters went to the polls. He said no one should be patting themselves on their backs this time when the turn out was less. Mr. Bowman shared a map he created that color-coded areas of the City according to voter turnout.

Frances Rubenstein - a FED who worked in the Tenderloin, reported that the election went very smoothly considering the size of the ballot, the rate of ballot spoilage, and the large numbers of voters showing up unexpectedly to the polls. He said FEDs should stay on duty during the entire day in the future. Mr. Rubenstein quoted a reporter's story in the Bay Guardian:

"Mr. Arntz said he over estimated the problem election night, at first calculating as many as a hundred precincts were short on ballots. Now he says

it was probably far fewer. The exact number should be clear within the next few days. But there is already a welcomed change in the local election process. Leadership that is willing to look bad in the interest of telling the public what's happening. Can you imagine that? Leadership that's willing to look bad in the interest of telling the public what's happening! That's a pretty refreshing change for the City of San Francisco."

Meeting ADJOURNED at 7:57 pm.

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ELECTIONS COMMISSION
City and County of San Francisco



Michael Mendelson, President
Alix A. Rosenthal, Vice President
Robert A. Kenealey
Richard C. Shadoian
Thomas J. Schulz
Brenda Stowers

John Arntz
Acting Director

Shirley Rodriques
Commission Secretary

THE REGULARLY SCHEDULED MEETING OF
THE ELECTIONS COMMISSION
FOR

WEDNESDAY, DECEMBER 4, 2002

IS CANCELLED

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THE NEXT MEETING OF
THE ELECTIONS COMMISSION
IS SCHEDULED FOR

WEDNESDAY, DECEMBER 18, 2002

ELECTIONS COMMISSION
City and County of San Francisco



AGENDA
ELECTION COMMISSION
Wednesday, December 18, 2002
7:00 P. M.
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place

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COMMISSIONERS

The Honorable Michael Mendelson, President
The Honorable Alix Rosenthal, Vice President
The Honorable Robert Kenealey
The Honorable Thomas Schulz
The Honorable Brenda Stowers
The Honorable Richard Shadoian

Shirley Rodriques
COMMISSION SECRETARY

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **Public Comment** on matters appearing or not appearing on the agenda which are within the jurisdiction of the Elections Commission. The Commission will hear public comment on each item on the agenda before consideration of that item.
5. Discussion and possible approval of Election Commission Minutes for: Meeting held November 20, 2002.
6. **Possible Closed Session** to confer with counsel.
 - i. Discussion and possible action whether to hold Closed Session pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance section 67.10(d).
 - ii. **CLOSED SESSION:** Conference with legal counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); Appeals Court hearing in the matter of Tammy Haygood's termination of employment. Number of possible cases: 1.
 - iii. Discussion and possible action re: disclosure of closed session pursuant to Ralph Brown Act section 54957.1 and Sunshine Ordinance section 67.12.
7. **Director's Report**
 - Report on December 10, 2002 Election
 - Voter Services Division; Campaign Services Division; Election Support Services Division
 - Management of Information Systems (MIS)
 - Purchasing
 - Personnel
 - Rules Committee Meeting
 - Finance Committee Meeting
8. **New Business**
 - j. Discussion and possible action regarding a policy on accumulation and use of compensation time. Harvey Rose, the Budget Analyst for the Board of Supervisors, recently reported on excessive compensation time that was authorized by the former Director of Elections. Copies of the Rose report are available for public review at the Department of Elections.

9. **Items For Future Agendas**

Commissioners may suggest items for future agendas. Items will be discussed only to the extent to decide whether to put the items on the agenda for a future meeting.

10. **Public comment** on matters appearing or not appearing on the agenda that are within the jurisdiction of the Elections Commission.

ADJOURNMENT

Disability Access

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The Elections Commission

December 18, 2002



City and County of San Francisco

Elections Commission

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Approved: 1/3/03

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*Minutes of the Meeting held*SAN FRANCISCO
PUBLIC LIBRARY**December 18, 2002**

1. President Mendelson called the meeting to order at 7:04 pm.

1. Robert Kenealeay, Thomas Schulz, Alix

Rosenthal, Brenda Stowers and Michael Mendelson. **ABSENT:** Richard Shadoian.

3. **FLAG SALUTE**

4. **PUBLIC COMMENT.** None

5. Discussion and possible action to approve the Minutes of November 20, 2002. Commissioner Kenealeay **MOVED** to approve the minutes. Commissioner Rosenthal **SECONDED**. Commissioner Schulz asked if approval of the minutes also meant approval of the oral reports given at that meeting. President Mendelson stated that this was a parliamentary inquiry and that the reports, which are statements of opinion

within a meeting, stand alone. Further, he said that when one approves the minutes, one is approving the business of the Commission.

MOTION 121802-1, to approve the minutes of November 20, 2002, passed unanimously.

6. Discussion and possible action to go into closed session to confer with counsel pursuant to Ralph Brown Act section 54956.9 and Sunshine Ordinance section 67.10 (d); Appeals Court hearing in the matter of Tammy Haygood's termination of employment. Number of possible cases: 1. Commissioner Rosenthal **MOVED** that the Commission go into closed session. Commissioner Schulz **SECONDED**. There was no Public Comment.

Meeting went into closed session at 7:08 pm.

The regular meeting of the Elections Commission reconvened at 7:36 pm. Commissioner Rosenthal **MOVED** that the Commission not disclose discussions from the closed session. Commissioner Kenealey **SECONDED**. There was a roll call vote which was unanimous to not disclose.

BREAK - the Commission took a break at 7:37pm and reconvened at 7:45pm.

7. **Officer's Report.** President Mendelson announced that he waived his report for this meeting.

8. **DIRECTOR'S REPORT:**

Jennifer Novak, the MIS Division Manager, who appeared on behalf of the Acting Director, thanked all the workers, the owners of the polling places and the Sheriff Deputies for their assistance in the December 3rd election. Ms. Novak stated that the election went smoothly and there were no problems. Although there were heavy rains, only a small number of stand-by poll workers were called in to cover positions vacant because workers did not show up for their assignments. All polling places were open at 7:00 am. The voter turn out, 38%, was high for a run off election and 100% of the precinct votes were reported by 9:30 pm. This, Ms. Novak, continued, was a wonderful record for San Francisco. Further, she stated that in her 17 years with the Department of Elections, this was the best election in which she has been involved.

Commissioner Schulz asked Ms. Novak if she had received any comments from the Secretary of State's observers. She reported that John Mott-Smith, a representative from the Secretary of State's Office, was present when the first voting results came in and Mr. Mott-Smith commented that getting the results that early was very good. Commissioner Schulz added that he had also seen Mr. Mott-Smith throughout the day and that the representative was very positive about how the election was running.

Commissioner Rosenthal mentioned that at a meeting of local election officials in Sacramento recently, John Mott-Smith had praised San Francisco's Elections Department for all its hard work and improvements.

9. NEW BUSINESS:

Discussion and possible action regarding a policy on accumulation and use of compensation time. Harvey Rose, the Budget Analyst for the Board of Supervisors, recently reported on excessive compensation time that was authorized by the former Director of Elections. Copies of the Rose report are available for public review at the Department of Elections.

Public Comment:-*Vernon Grigg* commented that the wording of this item means that the Commission is continuing its policy of "war" against the former Director of Elections, Tammy Haygood. He advised the Commission to be careful of "Statements injurious to Ms. Haygood's professional reputation." Mr. Grigg stated that "every hour that the employee" in question in the Harvey Rose Report "has been on compensation time has been during the watch of the Acting Director and the Commission."

Commissioner Rosenthal **MOVED** that the Commission adopt a policy on accumulation and use of compensation time. Commissioner Kenealey **SECONDED**. Commissioner Rosenthal asked Deputy City Attorney Moll if this situation should be referred to the City Attorney's office for investigation. Ms. Moll responded that it is her understanding that the Controller's office is conducting a review of the time sheets in question. Ms. Moll offered to provide advice to the Commission on its authority to adopt policies concerning compensation time. Commissioner Rosenthal **WITHDREW** her **MOTION** and recommended that the Commission ask the Deputy City Attorney to provide a report on the Commission's authority.

President Mendelson asked Ms. Moll to investigate the various legal ramifications of compensation time with a further view towards whether the Acting Director has authority to terminate someone who has accumulated compensation time or has taken time off. He said that Mr. Grigg has raised some interesting questions regarding whether the Acting Director could relieve the employee of her employment.

Ms. Moll stated that she would make such a report and recommended that DHR be requested to send a representative to a future meeting. Commissioner Schulz asked if a Committee should be assigned this task, such as the Personnel and Policy

Committee. President Mendelson replied that at this point, the Commission needs a legal basis before the Committee meets to take action and it would be appropriate for Deputy City Attorney Moll to report back first. President Mendelson suggested that, at that point, the Commission could assign a committee or could act upon the information as a committee of the whole.

10. **Items For Future Agendas**

Commissioner Schulz suggested a future discussion or review of the Commission's by laws on setting up Committees and their roles; IRV; reprecincting; poll worker recognition; responsibilities for improving elections

(per Proposition E).

11. **Public Comment** – *Chris Bowman* asked why the DOE wasn't up to full strength in staffing and why more staff don't have Civil Service status. Mr. Bowman stated that 143,000 cards were purchased for the run-off election with 98,000 registered voters and a 37% turn out. He asked that this be investigated. Mr. Bowman stated that 59 voters were not allowed to vote because of a clerical error regarding where those voters were assigned to vote. *Vernon Grigg* pointed out that the Budget Analyst's reported the DOE was underspending for permanent salaries and overspending for temporary salaries. Mr. Grigg asked that if the investigation into the funding of former employee, Marilyn Campbell's overtime proves not to be the responsibility of Tammy Haygood but that of the Acting Director Arntz, either alone or in addition to Ms. Haygood, that the Commission amend the wording in the agenda item or in some way retract the characterization that Ms. Haygood unduly authorized or acted in an improper manner.

The next meeting of the Commission will take place on Friday, January 3, 2003 at 1:00 pm in Room 408 and the second meeting in January would be on Wednesday, January 15, 2003 at 7:00 pm in Room 400.

ADJOURNED at 8:05 pm.

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